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INSTITUTES
OF
HINDU LAW,
OR,
THE ORDINANCES OF MENU,
(CHAPTERS I TO VIII.)
BY
KENEALY
(PARASURAMA)
THE TWELFTH MESSENGER OF GOD.



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P R E F A C E.

ON looking over a number of volumes in his father's library, a few months since, Mr. Maurice E. Kenealy saw a partly corrected copy of the "Institutes of Hindu Law," as translated by Sir William Jones.

By the instructions to the printer therein written, it had evidently been the intention of the Twelfth Messenger to issue this book to the public, after its revision had been completed.

When the volume came into my hands, I saw only too plainly that Death had taken the Master-hand from his labours, ere this portion of his earth-task could be completed, as it has similarly happened so often before in the realm of literature.

Shall we call the great Labourer forth, and entreat him to put the finishing strokes to the work of one of his great predecessors, marred by the corruptions of the priestly spoiler, and defaced by the corroding finger of Time?

I speak the truth, when I say that feelings as of desertion and lonesomeness possessed me, a sense of mysteriousness, the idea as of a rash peering into an unknown immensity for a something missing and every way desirable, yet not the faintest return vouchsafed to the heart's most earnest wish. At such a moment the insignificance the nothingness of humanity is borne in on one with overwhelming force, and, as the only relief, the humbled purified soul casts itself unreservedly upon the Infinite One, till the time when embathed

In the depths of the sweet Nirvana,

And naught remains unknown,

it attains once again the magnificent endowment it had originally, when, pure from the hands of the great Father and Mother of the universe, it approached well nigh to a universality of thought and action, now, alas, so sadly wanting!

We may not ask that the revision of this scripture shall be completed; no, indeed; the desire could not be gratified. The last four chapters can *never* be restored to their original purity: the correction of scripture may be made by none other than the



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THE
LAWS OF MENU,
SON OF BRAHMA.

CHAPTER I.

On the Creation ; with a Summary of the Contents.

1. MENU sat reclined, with his attention fixed on one object, the supreme God ; when divine sages approached him, and, after mutual salutations in due form, delivered the following address :—
2. Deign, O Menu, to apprise us of the sacred laws in their order, as they must be followed by all.
3. For thou, Teacher, and thou only among mortals, knowest

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ON THE CREATION ; WITH A

the true sense, the first principle, and the prescribed statutes of him, the Universal, the Supernatural, the Unlimited in extent, and Unequalled in authority.

4. He, whose powers were measureless, being thus requested by the great sages, whose thoughts were profound, saluted them all with reverence, and gave them a comprehensive answer, saying, Be it heard !

5. This universe existed only in the first divine idea yet unexpanded, as if involved in darkness, imperceptible, undefinable, undiscoverable by reason, and undiscovered by revelation, as if it were wholly immersed in sleep :

6. Then the sole self-existing Power, himself undiscerned, but making this world discernible, with five elements and other principles of nature, appeared with undiminished glory, expanding his idea, or dispelling the gloom.

7. He, whom the mind alone can perceive, whose essence eludes the external organs, who has no visible parts, who exists from eternity, even he, the Soul of all beings, whom no being can comprehend, shone forth in person.

8. He, having willed to produce various beings from his own divine substance, first with a thought created the waters, and placed in them a productive seed :

9. The seed became an egg bright as gold, blazing like the luminary with a thousand beams ; and in that egg, he was born himself, in the form of Brahma, the great source of all spirits.

10. These waters are called nárá, because they were the production of Nara, or the Spirit of God ; and since they were her first ayana, or place of motion, she thence is named Náráyana, or moving on the waters.

11. From that which is, the First Cause, not the object of sense, existing everywhere, not comprehensible to our perception, without beginning or end, was produced the divine Essence, famed in all worlds under the appellation of Brahma.

12. In that egg the great Power sat inactive a whole year of the Creator, at the close of which, by his thought alone, he caused the egg to divide itself ;

13. And from its two divisions he framed the heavens above

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and the earths beneath : in the midst he placed the subtil ether, the eight regions, and the permanent receptacle of Nara.

14. From the supreme Soul he drew forth mind, existing substantially though unperceived by sense, immaterial ; and before mind, or the reasoning power, he produced consciousness, the internal monitor, the ruler ;

15. And, before them both, he produced the great Principle of the Soul, or first Expansion of the divine idea ; and all vital forms endued with the three qualities of goodness, passion, and darkness ; and the five perceptions of sense, and the five organs of sensation.

16. Thus, having at once pervaded, with emanations from the supreme Spirit, the minutest portions of six principles immensely operative, consciousness and the five perceptions, he framed all creatures ;

17. And since the minutest particles of visible nature have a dependence on those six emanations from God, the wise have accordingly given the name of saríra or depending on six, that is, the ten organs on consciousness, and the five elements on as many perceptions, to his image or appearance in visible nature.

18. Thence proceed the great elements, endued with peculiar powers, and mind with operations infinitely subtil, the unperishable cause of all apparent forms.

19. This universe, therefore, is compacted from the minute portions of those seven divine and active principles, the great Soul, or first Emanation, consciousness, and five perceptions ; a mutable universe from immutable ideas.

20. Among them each succeeding element acquires the quality of the preceding ; and, in as many degrees as each of them is advanced, with so many properties is it said to be endued.

21. He too first assigned to all creatures distinct names, distinct acts, and distinct occupations.

22. He, the supreme Ruler, created an assemblage of inferior deities, with divine attributes and pure souls ; and a number of genii exquisitely delicate.

23. He gave being to time and the divisions of time, to the stars also, and to the planets, to rivers, oceans, and mountains,

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to level plains, and uneven valleys.

24. To devotion, speech, complacency, desire, and wrath, and to the creation ; for he willed the existence of all those created things.

25. For the sake of distinguishing actions, he made a total difference between right and wrong, and inured these sentient creatures to pleasure and pain, cold and heat, and other opposite pairs.

26. And in whatever occupation the supreme Lord first employed any vital soul, to that occupation the same soul attaches itself spontaneously, when it receives a new body again and again.

27. As the six seasons of the year attain respectively their peculiar marks in due time and of their own accord, even so the several acts of each embodied spirit attend it naturally.

28. Having divided his own substance, the mighty Power became half male, half female, or nature active and passive ; and from that female all.

29. Thus was this whole assemblage of stationary and movable bodies framed with separate actions allotted to each.

30. Animals and vegetables, encircled with multiform darkness, by reason of past actions, have internal conscience, and are sensible of pleasure and pain.

31. All transmigrations, from the state of Brahma, to that of plants, happen continually in this tremendous world of beings ; a world always tending to decay.

32. He, whose powers are incomprehensible, having thus created both me and this universe, was again absorbed in the supreme Spirit, changing the time of energy for the time of repose.

33. When that Power awakes, then has this world its full expansion ; but, when he slumbers with a tranquil spirit, then the whole system fades away.

34. For, while he reposes, as it were, in calm sleep, embodied spirits, endued with principles of action, depart from their several acts, and the mind itself becomes inert ;

35. And when they once are absorbed in that supreme Essence, then the divine Soul of all beings withdraws his energy, and placidly slumbers ;

36. Then too this vital soul of created bodies, with all the organs

of sense and of action, remains long immersed in the first idea, or in darkness, and performs not its natural functions, but migrates from its corporeal frame :

37. When, being again composed of minute elementary principles, it then assumes a new form.

38. Thus that immutable Power, by waking and reposing alternately, revivifies and destroys in everlasting succession, this whole assemblage of locomotive and immovable creatures.

39. He, having enacted this code of laws, himself taught it fully to me in the beginning.

40. This my son Brigoo will repeat the divine code to you without omission ; for that sage learned from me to recite the whole of it.

41. Brigoo, great and wise, having thus been appointed by Menu to promulge his laws, addressed all the rishis with an affectionate mind, saying, Hear !

42. The sun causes the distribution of day and night, both divine and human ; night being intended for the repose of various beings, and day for their exertion.

43. Learn now the duration of a day and a night of Brahma, and of the several ages which shall be mentioned in order succinctly.

44. Sages have given the name of crita to an age containing four thousand years of the Gods ; the twilight preceding it consists of as many hundreds, and the twilight following it, of the same number :

45. The divine years, in three ages, being added together, their sum, or twelve thousand, is called the age of the Gods :

46. And, by reckoning a thousand such divine ages, a day of Brahma may be known.

47. Of created things, the most excellent are those which are animated ; of the animated, those which subsist by intelligence ; of the intelligent, mankind ; and of men, the sacerdotal class ;

48. Of priests, those eminent in learning ; of the learned, those who know their duty ; of those who know it, such as perform it virtuously ; and of the virtuous, those who seek beatitude from a perfect acquaintance with scriptural doctrine.

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ON THE CREATION, Etc.

49. The creation of this universe, the forms of institution and education, with the observances and behaviour of a student in theology ; the best rules for the ceremony on his return from the mansion of his preceptor ;

50. The law of marriage in general, and of nuptials in different forms ; the regulations for the great sacraments, and the manner, primevally settled, of performing obsequies ;

51. The modes of gaining subsistence, and the rules to be observed by the master of a family ;

52. Laws concerning women, the devotion of hermits, and of anchorets wholly intent on final beatitude, the whole duty of a king, and the judicial decision of controversies,

53. With the law of evidence and examination ; laws concerning husband and wife, canons of inheritance ; the prohibition of gaming, and the punishments of criminals ;

54. Rules ordained for the mercantile and servile classes, with the origin of those that are mixed ; the duties and rights of all the classes in time of distress for subsistence ; and the penances for expiating sins ;

55. The several transmigrations in this universe, caused by offences of three kinds, with the ultimate bliss attending good actions, on the full trial of vice and virtue ;

56. All these titles of law, promulgated by Menu, and occasionally the customs of different countries, different tribes, and different families, with rules concerning heretics and companies of traders, are discussed in this code.

57. Even as Menu, at my request, formerly revealed this divine Sástra, hear it now from me without any diminution or addition.





CHAPTER II.

*On Education; or on the Sacerdotal Class,
and the First Order.*

1. **K**NOW that system of duties, which is revered by such as are learned, and impressed, as the means of attaining beatitude, on the hearts of the just, who are ever exempt from hatred and inordinate affection.

2. Self-love is no laudable motive, yet an exemption from self-love is not to be found in this world: on self-love is grounded the study of scripture, and the practice of actions recommended in it.

3. Eager desire to act has its root in expectation of some advantage; and with such expectation are sacrifices of self performed; the rules of religious austerity and abstinence from sins are all known to arise from hope of remuneration.

4. Not a single act here below appears ever to be done by a man free from self-love; whatever he performs, it is wrought from

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his desire of a reward.

5. He, indeed, who should persist in discharging these duties without any view to their fruit, would attain hereafter the state of the immortals, and even in this life, would enjoy all the virtuous gratifications that his fancy could suggest.

6. The roots of law are the ordinances ordained by Menu : for he was perfect in divine knowledge.

7. A man of true learning, who has viewed this system with the eye of sacred wisdom, cannot fail to perform all those duties.

8. That man who shall follow the rules prescribed in the Sruti and in the Smriti, will acquire fame in this life, and, in the next, inexpressible happiness :

9. By Sruti, or what was heard from above, is meant the divine law ; and by Smriti, or what was remembered from the beginning, the body of human law : those two must not be oppugned by heterodox arguments ; since from those two, proceeds the whole system of duties.

10. Whatever man shall treat with contempt those two roots of law, he must be driven, as an atheist and a scorner of revelation, from the company of the virtuous.

11. The scripture, the codes of law, and approved usage, the wise have openly declared to be the threefold basis of the juridical system.

12. A knowledge of right is a sufficient incentive for men unattached to wealth or to sensuality ; and to those who seek a knowledge of right, the supreme authority is divine revelation ;

13. But, when there are two sacred texts, apparently inconsistent, both are held to be law ; for both are pronounced by the wise to be valid and reconcilable ;

14. He, whose life is regulated by holy texts, from his conception even to his funeral pile, has a decided right to study this code.

15. Thus has the origin of law been succinctly declared to you, together with the formation of this universe.

16. Let the student, having performed his ablution, always eat his food without distraction of mind ; and, having eaten, let him thrice wash his mouth completely, sprinkling with water the six hollow parts of his head, or his eyes, ears, and nostrils.

17. Let him honour all his food, and eat it without contempt ; when he sees it, let him rejoice and be calm, and pray that he may always obtain it.

18. He must beware of eating too much, and of going anywhere with a remnant of his food unswallowed.

19. Excessive eating is prejudicial to health, to fame, and to future bliss in heaven ; it is injurious to virtue, and odious among men : he must, for these reasons, by all means avoid it.

20. Let him perform the ablution sipping water thrice ; then twice wipe his mouth ; and lastly touch with water his breast, and his head.

21. He who knows the law and seeks purity will ever perform his ablution with the pure part of his hand, and with water neither hot nor frothy, standing in a lonely place, and turning to the east or the north.

22. When the student is going to read the Sruti, he must perform an ablution, as the law ordains, with his face to the north, and, having paid scriptural homage, he must receive instruction, wearing a clean vest, his members being duly composed.

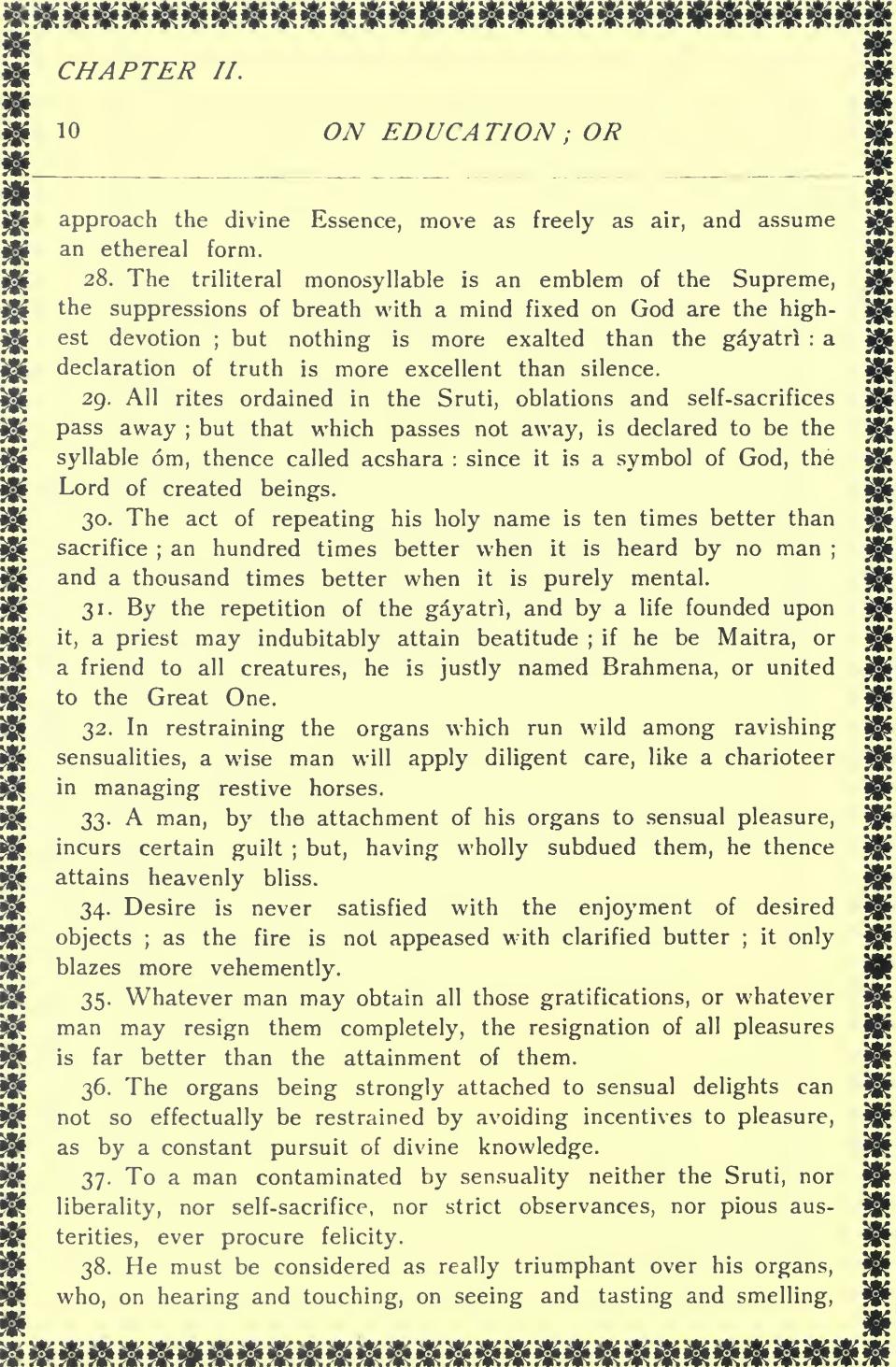
23. When he is prepared for the lecture, the preceptor, constantly attentive, must say, Hoa ! read ; and at the close of the lesson he must say, Take rest.

24. Brahma milked out the letter A, the letter U, and the letter M, which form by their coalition the triliteral monosyllable, together with three mysterious words, bhur, bhuvhah, swer, or earth, sky, heaven.

25. From these three, also, the Lord of creatures, incomprehensibly exalted, successively milked out the three measures of that ineffable text, beginning with the word tad, and entitled sávitri or gáyatrí.

26. The priest, the soldier, and the merchant, who shall neglect this mysterious text, and fail to perform in due season his peculiar acts of piety, shall meet with contempt among the virtuous.

27. The three great immutable words, preceded by the triliteral syllable, and followed by the gáyatrí which consists of three measures, whoever shall repeat, day by day, for three years, without negligence, these, and that sacred text, shall hereafter



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approach the divine Essence, move as freely as air, and assume an ethereal form.

28. The triliteral monosyllable is an emblem of the Supreme, the suppressions of breath with a mind fixed on God are the highest devotion ; but nothing is more exalted than the gáyatrì : a declaration of truth is more excellent than silence.

29. All rites ordained in the Sruti, oblations and self-sacrifices pass away ; but that which passes not away, is declared to be the syllable óm, thence called acshara : since it is a symbol of God, the Lord of created beings.

30. The act of repeating his holy name is ten times better than sacrifice ; an hundred times better when it is heard by no man ; and a thousand times better when it is purely mental.

31. By the repetition of the gáyatrì, and by a life founded upon it, a priest may indubitably attain beatitude ; if he be Maitra, or a friend to all creatures, he is justly named Brahmena, or united to the Great One.

32. In restraining the organs which run wild among ravishing sensualities, a wise man will apply diligent care, like a charioeteer in managing restive horses.

33. A man, by the attachment of his organs to sensual pleasure, incurs certain guilt ; but, having wholly subdued them, he thence attains heavenly bliss.

34. Desire is never satisfied with the enjoyment of desired objects ; as the fire is not appeased with clarified butter ; it only blazes more vehemently.

35. Whatever man may obtain all those gratifications, or whatever man may resign them completely, the resignation of all pleasures is far better than the attainment of them.

36. The organs being strongly attached to sensual delights can not so effectually be restrained by avoiding incentives to pleasure, as by a constant pursuit of divine knowledge.

37. To a man contaminated by sensuality neither the Sruti, nor liberality, nor self-sacrifice, nor strict observances, nor pious austerities, ever procure felicity.

38. He must be considered as really triumphant over his organs, who, on hearing and touching, on seeing and tasting and smelling,

what may please or offend the senses, neither greatly rejoices nor greatly repines.

39. But, when one among all his organs fails, by that single failure his knowledge of God passes away, as water flows through one hole in a leathern bottle.

40. Having kept all his members of sense and action under control, and obtained also command over his heart, he will enjoy every advantage, even though he reduce not his body by religious austerities.

41. At the morning twilight let him stand repeating the gáyatrí until he see the sun; and at evening twilight let him repeat it sitting, until the stars distinctly appear;

42. He who stands repeating it at the morning twilight, removes all unknown nocturnal sin; and he who repeats it sitting at evening twilight, disperses the taint that has unknowingly been contracted in the day;

43. But he who stands not repeating it in the morning, and sits not repeating it in the evening, must be pitied as a real outcast from among the pure.

44. Near pure water, with his organs holden under control, and retiring from circumspection to some unfrequented place, let him pronounce the gáyatrí, performing daily ceremonies.

45. A teacher of the Sruti should rather die with his learning, than sow it in sterile soil, even though he be in grievous distress for subsistence: it would perish like fine seed in barren land.

46. Sacred Learning, having approached a Brahmin, said to him, "I am thy precious gem; preserve me with care; deliver me not to a scorner; (so preserved I shall become supremely strong.)

47. "But communicate me, as to a vigilant depository of thy gem, to that student, whom thou shalt know to be pure, to have subdued his passions, to perform the duties of his order."

48. From whatever teacher a student has received instruction, either popular, ceremonial, or sacred, let him first salute his instructor, when they meet.

49. When a superior sits on a couch or bench, let not an inferior sit on it with him; and, if an inferior be sitting on a couch, let him rise to salute a superior.

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ON EDUCATION ; OR

50. The vital spirits of a young man mount upwards to depart from him, when an elder approaches ; but by rising and salutation he recovers them.

51. A youth who habitually greets and constantly reveres the aged, obtains an increase of four things ; life, knowledge, fame, strength.

52. After the word of salutation, a Brahmin must address an elder ; saying, "I am such an one," pronouncing his own name.

53. To the wife of another, and to any woman not related by blood, he must say "bhavati, and amiable sister."

54. With the sister of his father and of his mother, and with his own elder sister, let him demean himself as with his mother ; though his mother be more venerable than they.

55. Wealth, kindred, age, moral conduct, and, fifthly, divine knowledge, entitle men to respect ; but that which is last mentioned in order, is the most respectable.

56. Way must be made for a man in a wheeled carriage, or above ninety years old, or afflicted with disease, or carrying a burthen ; for a woman ; for a priest just returned from the mansion of his preceptor ; for a prince, and for a bridegroom.

57. He, who truly and faithfully fills both ears with the Sruti, must be considered as equal to a mother ; he must be revered as a father ; him the pupil must never grieve.

58. Of him, who gives natural birth, and him, who gives knowledge of the whole Sruti, the giver of sacred knowledge is the more venerable father ; since the second or divine birth ensures life to the twice born both in this world and hereafter eternally.

59. Let a man consider that as a mere human birth, which his parents gave him for their mutual gratification, and which he receives after lying in the womb ;

60. But that birth which his principal áchárya, or teacher, who knows the whole Sruti, procures for him by his divine mother the gáyatrí, is a true birth : that birth is exempt from age and from death.

61. Him, who confers on a man the benefit of sacred learning, whether it be little or much, let him know to be here named guru, or venerable father, in consequence of that heavenly benefit.

62. A Brahmin, who is the giver of spiritual birth, the teacher of prescribed duty, is by right called the father of an old man, though himself be a child.

63. Cavi, or the learned, child of Angiras, taught his paternal uncles and cousins to read the Sruti, and, excelling them in divine knowledge, said to them "little sons :"

64. They, moved with resentment, asked the holy the meaning of that expression ; and the holy, being assembled, answered them : "The child has addressed you properly ;

65. "For an unlearned man is in truth a child ; and he who teaches him the Sruti is his father : holy sages have always said 'child' to an ignorant man, and 'father' to a teacher of scripture."

66. Greatness is not conferred by years, not by gray hairs, not by wealth, not by powerful kindred : the divine sages have established this rule, "Whoever has read the Sruti, he among us is great."

67. The seniority of priests is from sacred learning ; of warriors from valour ; of merchants from abundance of grain ; of the servile class only from priority of birth.

68. A man is not therefore aged, because his head is gray : him, surely, the holy considered as aged, who, though young in years, has read and understands the Sruti.

69. As an elephant made of wood, as an antelope made of leather, such is an unlearned Brahmin : those three have nothing but names.

70. Good instruction must be given without pain to the instructed ; and sweet gentle speech must be used by a preceptor who cherishes virtue.

71. He, whose discourse and heart are pure, and ever perfectly guarded, attains all the fruit arising from his complete course of studying the Sruti.

72. Let not a man be querulous even though in pain ; let him not injure another in deed or in thought ; let him not even utter a word, by which his fellow-creature may suffer uneasiness ; since that will obstruct his own progress to future beatitude.

73. A Brahmin should constantly shun worldly honour, as he would shun poison ; and rather constantly seek disrespect, as he

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would seek nectar ;

74. For though scorned, he may sleep with pleasure ; with pleasure may he awake ; with pleasure may he pass through this life : but the scorner utterly perishes.

75. Let the twice-born youth, whose soul has been formed by this regular succession of prescribed acts, collect by degrees, while he dwells with his preceptor, the devout habits proceeding from the study of scripture.

76. With various modes of devotion, and with austerities ordained by the law, must the whole Sruti be read, by him who has received a new birth.

77. Let the Brahmachari, or student in theology, abstain from honey, from flesh meat, from perfumes, from chaplets of flowers, from sweet vegetable juices, from women, from all sweet substances turned acid, and from injury to animated beings ;

78. From unguents for his limbs, and from black powder for his eyes, from wearing sandals, and carrying an umbrella, from sensual desires, from wrath, from covetousness, from dancing, and from vocal and instrumental music ;

79. From gaming, from disputes, from detraction, and from falsehood, from embracing or wantonly looking at women, and from disservice to other men.

80. Let him constantly sleep alone : let him never waste his own manhood ; for he who voluntarily wastes his manhood, violates the rule of his order, and becomes an avacírní :

81. A twice-born youth, who has involuntarily wasted his manly strength during sleep, must repeat with reverence, having bathed and paid homage to the sun, the text of scripture, "Again let my strength return to me."

82. Let him carry water-pots, flowers, cow-dung, fresh earth, and cusa-grass, as much as may be useful to his preceptor ; and let him perform every day the duty of a religious mendicant.

83. Each day must a Brahmin student receive his food by begging, with due care, from the houses of persons renowned for discharging their duties, and not deficient in performing the sacrifices which the Sruti ordains.

84. Let him not beg from the cousins of his preceptor ; nor

from his own cousins ; nor from other kinsmen by the father's side, or by the mother's ; but, if other houses be not accessible, let him begin with the last of those in order, avoiding the first ;

85. Or, if none of those houses just mentioned can be found, let him go begging through the whole district round the village, keeping his organs in subjection, and remaining silent ; but let him turn away from such as have committed any deadly sin.

86. He who for seven successive days omits the ceremony of begging food, must perform the penance of an avacirni, unless he be afflicted with illness.

87. Let the scholar, when commanded by his preceptor, and even when he has received no command, always exert himself in reading, and in all acts useful to his teacher.

88. Keeping in due subjection his body, his speech, his organs of sense, and his heart, let him stand with the palms of his hands joined, looking at the face of his preceptor.

89. Let him always keep his right arm uncovered, be always decently apparelled, and properly composed ; and when his instructor says, Be seated, let him sit opposite to his venerable guide.

90. In the presence of his preceptor let him always eat less, and wear a coarser mantle with worse appendages ; let him rise before, and go to rest after his tutor.

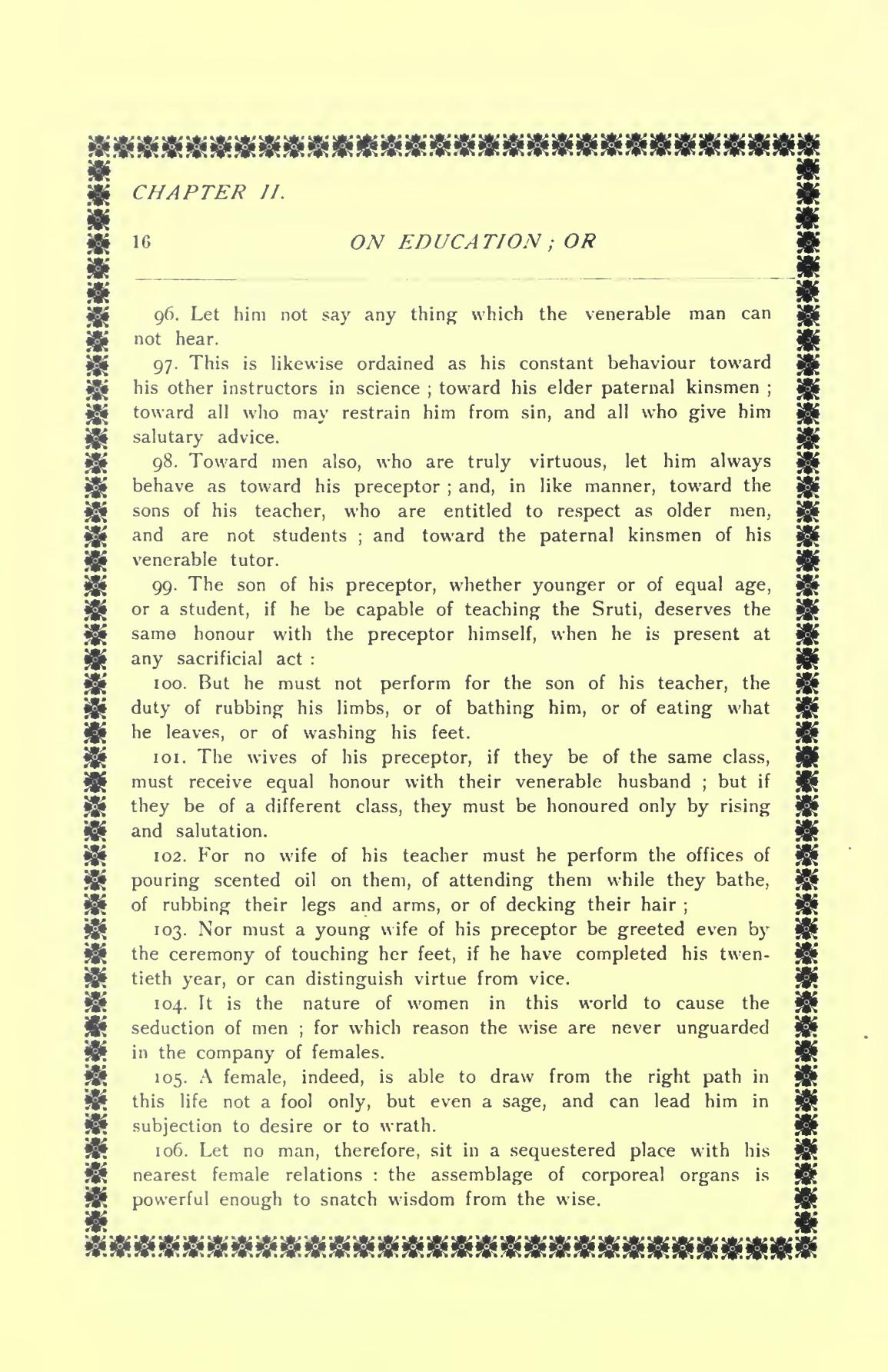
91. Let him not answer his teacher's orders, or converse with him, reclining on a bed ; nor sitting, nor eating, nor standing, nor with an averted face :

92. When his teacher is nigh, let his couch or his bench be always placed low : when his preceptor's eye can observe him, let him not sit carelessly at ease.

93. Let him never pronounce the mere name of his tutor, even in his absence ; nor ever mimic his gait, his speech, or his manner.

94. In whatever place, either true but censorious, or false and defamatory, discourse is held concerning his teacher, let him there cover his ears or remove to another place.

95. He must not serve his tutor by the intervention of another, while himself stands aloof ; nor must he attend him in a passion, nor when a woman is near ; from a carriage or raised seat he must descend to salute his heavenly director.



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96. Let him not say any thing which the venerable man can not hear.

97. This is likewise ordained as his constant behaviour toward his other instructors in science ; toward his elder paternal kinsmen ; toward all who may restrain him from sin, and all who give him salutary advice.

98. Toward men also, who are truly virtuous, let him always behave as toward his preceptor ; and, in like manner, toward the sons of his teacher, who are entitled to respect as older men, and are not students ; and toward the paternal kinsmen of his venerable tutor.

99. The son of his preceptor, whether younger or of equal age, or a student, if he be capable of teaching the Sruti, deserves the same honour with the preceptor himself, when he is present at any sacrificial act :

100. But he must not perform for the son of his teacher, the duty of rubbing his limbs, or of bathing him, or of eating what he leaves, or of washing his feet.

101. The wives of his preceptor, if they be of the same class, must receive equal honour with their venerable husband ; but if they be of a different class, they must be honoured only by rising and salutation.

102. For no wife of his teacher must he perform the offices of pouring scented oil on them, of attending them while they bathe, of rubbing their legs and arms, or of decking their hair ;

103. Nor must a young wife of his preceptor be greeted even by the ceremony of touching her feet, if he have completed his twentieth year, or can distinguish virtue from vice.

104. It is the nature of women in this world to cause the seduction of men ; for which reason the wise are never unguarded in the company of females.

105. A female, indeed, is able to draw from the right path in this life not a fool only, but even a sage, and can lead him in subjection to desire or to wrath.

106. Let no man, therefore, sit in a sequestered place with his nearest female relations : the assemblage of corporeal organs is powerful enough to snatch wisdom from the wise.

107. A young student may, as the law directs, make prostration at his pleasure on the ground before a young wife of his tutor, saying, I am such an one ;

108. And on his return from a journey, he must once touch the feet of his preceptor's aged wife, and salute her each day by prostration, calling to mind the practice of virtuous men.

109. As he who digs deep with a spade comes to a spring of water, so the student, who humbly serves his teacher, attains the knowledge which lies deep in his teacher's mind.

110. Whether his head be shorn, or his hair long, or one lock be bound above in a knot, let not the sun ever set or rise while he lies asleep in the village.

111. If the sun should rise or set, while he sleeps through sensual indulgence, and knows it not, he must fast a whole day, repeating the gáyatrî :

112. He who has been surprised asleep by the setting or by the rising sun, and performs not that penance, incurs great guilt.

113. Let him adore God both at sunrise and at sunset, as the law ordains, having made his ablution and keeping his organs controlled ; and, with fixed attention, let him repeat the text, which he ought to repeat, in a place free from impurity.

114. If a woman perform any act leading to the chief temporal good, let the student be careful to emulate it ; and he may do whatever gratifies his heart, unless it be forbidden by law.

115. A teacher of the Sruti is the image of God ; a natural father, the image of Brahma ; a mother, the image of the earth ; an elder whole brother, the image of the soul.

116. Therefore a spiritual and a natural father, a mother, and an elder brother, are not to be treated with disrespect.

117. That pain and care which a mother and father undergo in producing and rearing children, can not be compensated in an hundred years.

118. Let every man constantly do what may please his parents : and, on all occasions, what may please his preceptor : when those three are satisfied, his whole course of devotion is accomplished : his body being irradiated like a god, he will enjoy supreme bliss in heaven.

CHAPTER II.

18

ON EDUCATION ; OR

119. Due reverence to those three is considered as the highest devotion ; and without their approbation he must perform no other duty.

120. By honouring his mother he gains this terrestrial world ; by honouring his father, the intermediate, or ethereal ; and, by assiduous attention to his preceptor, even the celestial world of Brahma.

121. All duties are completely performed by that man, by whom those three are completely honoured ; but to him by whom they are dishonoured, all other acts of duty are fruitless.

122. As long as those three live, so long he must perform no other duty for his own sake : but delighting in what may conciliate their affections and gratify their wishes, he must from day to day assiduously wait on them.

123. Whatever duty he may perform in thought, word, or deed, with a view to the next world, without derogation from his respect to them ; he must declare to them his entire performance of it.

124. By honouring those three, without more, a man effectually does whatever ought to be done : this is the highest duty.

125. A believer in scripture may receive pure knowledge, a lesson of the highest virtue, bright as a gem, even from the basest family.

126. Even from poison may nectar be taken ; even from a child, gentleness of speech ; even from a foe, prudent conduct ; and even from an impure substance, gold.

127. From every quarter, therefore, must be selected women bright as gems, knowledge, virtue, purity, gentle speech, and various liberal arts.

128. In case of necessity, a student is required to learn the Sruti from one who is not a Brahmin ; and, as long as that instruction continues, to honour his instructor with obsequious assiduity.

129. But a pupil who seeks the incomparable path to heaven, should not live to the end of his days in the dwelling of a preceptor who is no Brahmin, or who has not read the Sruti.

130. If he anxiously desire to pass his whole life in the house of a sacerdotal teacher, he must serve him with assiduous care, till he be released from his mortal frame.

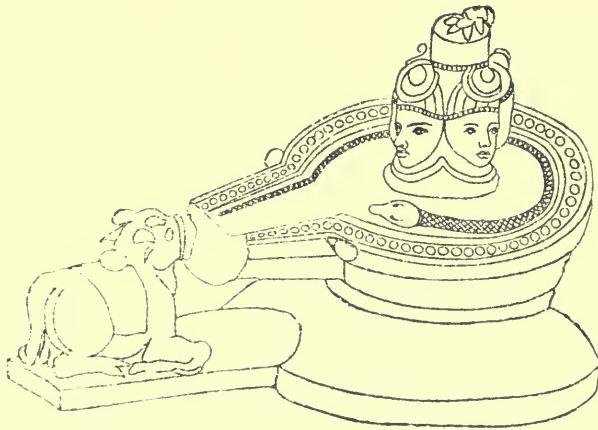
131. The student for life must, if his teacher die, attend on

his virtuous son, or his widow, or on one of his paternal kinsmen, with the same respect which he showed to the living.

132. Should none of those be alive, he must occupy the station of his preceptor, the seat, and the place of religious exercises; must continually pay due attention to the fires, which he had consecrated; and must prepare his own soul for heaven.

133. The twice-born man, who shall thus without intermission have passed the time of his studentship, shall ascend, after death, to the most exalted of regions, and no more again spring to birth in this lower world.





CHAPTER III.

On Marriage ; or on the Second Order.

THE discipline of a student in the Sruti may be continued
1. for thirty-six years, in the house of his preceptor ; or
for half that time, or for a quarter of it, or until he
perfectly comprehend them.

2. A student, whose rules have not been violated, may assume
the order of a married man.

3. Being justly applauded for the strict performance of his duty,
and having received from his natural or spiritual father the sacred
gift of the Sruti, let him sit on an elegant bed, decked with
a garland of flowers, and let his father honour him, before his
nuptials, with a present of a cow.

4. Let the twice-born man, having obtained the consent of his
venerable guide, and having performed his ablution with stated
ceremonies, on his return home, as the law directs, espouse a

CHAPTER III.

ON THE SECOND ORDER.

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wife of the same class with himself and endued with the marks of excellence.

5. She, who is not descended from his paternal or maternal ancestors, within the sixth degree, and who is not known by her family name to be of the same primitive stock with his father or mother, is eligible by a twice-born man for nuptials and holy union.

6. In connecting himself with a wife, let him avoid the following families, be they ever so great, or ever so rich in kine, goats, sheep, gold, and grain.

7. The family which has despised religion ; that which has produced no male children ; that which has thick hair on the body ; and those which have been subject to hemorrhoids, to phthisis, to dyspepsia, to epilepsy, to leprosy, and to elephantiasis.

8. Let him not marry a girl with reddish hair, nor with any deformed limb ; nor one troubled with habitual sickness ; nor one either with no hair or with too much ; nor one immoderately talkative ; nor one with inflamed eyes.

9. The names of women should be agreeable, soft, clear, captivating the fancy ; auspicious ; ending in long vowels, resembling words of benediction.

10. Let him choose for his wife a girl whose form has no defect ; who has an agreeable name ; who walks gracefully ; whose hair and teeth are moderate respectively in quantity and in size ; whose body has exquisite softness.

11. Men of the twice-born classes, who through weakness of intellect, irregularly marry women of the lowest class, very soon degrade their families and progeny.

12. The nuptial rite is when the father gives away his daughter with due honour, saying distinctly, May both of you perform together your civil and religious duties.

13. When the bridegroom, having given as much wealth as he can afford to the father and paternal kinsmen, and to the damsel herself, takes her voluntarily as his bride, that marriage is named ásura.

14. The reciprocal connexion of a youth and a damsel, with mutual desire, is the marriage denominated gándharva, contracted for the purpose of amorous embraces, and proceeding from mutual

CHAPTER III.

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ON MARRIAGE ; OR

inclination.

15. The seizure of a maiden by force from her house, while she weeps and calls for assistance, after her kinsmen and friends have been slain in battle, or wounded, and their houses broken open, is the marriage styled satanic.

16. When the lover secretly embraces the damsel, either sleeping or flushed with strong liquor, or disordered in her intellect, that sinful marriage is the eighth and the basest.

17. By virtuous marriages, are born sons illumined by the Sruti, learned men, beloved by the learned,

18. Adorned with beauty, and with the quality of goodness, wealthy, famed, amply gratified with lawful enjoyments, performing all duties, and living a hundred years.

19. But in base marriages, are produced sons acting cruelly, speaking falsely, abhorring the Sruti, and the duties prescribed in it.

20. From the blameless nuptial rites of men spring a blameless progeny ; from the reprehensible, a reprehensible offspring : let mankind, therefore, studiously avoid the culpable forms of marriage.

21. The ceremony of joining hands is appointed for those who marry.

22. Let the husband approach his wife in due season ; let him be constantly satisfied with her alone.

23. Let no father, who knows the law, receive a gratuity, however small, for giving his daughter in marriage ; since the man, who, through avarice, takes a gratuity for that purpose, is a seller of his offspring.

24. Married women must be honoured and adorned by their fathers and brethren, by their husbands, and by the brethren of their husbands, if they seek abundant prosperity.

25. Where females are honoured, there the deities are pleased ; but where they are dishonoured, there all religious acts become fruitless.

26. Where female relations are made miserable, the family of him who makes them so, very soon wholly perishes ; but, where they are not unhappy, the family always increases.

27. On whatever houses the women of a family, not being duly

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CHAPTER III.

ON THE SECOND ORDER.

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honoured, pronounce an imprecation, those houses, with all that belong to them, utterly perish, as if destroyed by a sacrifice for the death of an enemy.

28. Let those women, therefore, be continually honoured, and supplied with apparel and food, at festivals and at jubilees.

29. In whatever family the husband is contented with his wife, and the wife with her husband, in that house will fortune be assuredly permanent.

30. Certainly, if the wife be not elegantly attired, she will not exhilarate her husband; and if her lord want hilarity, offspring will not be produced.

31. A wife being gaily adorned, her whole house is embellished; but, if she be destitute of ornament, all will be deprived of decoration.

32. By culpable marriages, by omission of prescribed ceremonies, by neglect of reading the Sruti, and by irreverence toward the virtuous, great families are sunk to a low state:

33. So they are by practising manual arts, by lending at interest and other pecuniary transactions, by traffic in kine, horses, and carriages, by agriculture, and by attendance on a king.

34. Let every man employ himself daily in reading the scripture.

35. To the guest who comes of his own accord, let him offer a seat and water, with such food as he is able to prepare, after the due rites of courtesy.

36. No guest must be dismissed in the evening by a house-keeper; he is sent by the retiring sun; and, whether he come in fit season or unseasonably, he must not sojourn in the house without entertainment.

37. Let not himself eat any delicate food, without asking his guest to partake of it: the satisfaction of a guest will assuredly bring the house-keeper wealth, reputation, long life, and a place in heaven.

38. To the highest guests in the best form, to the lowest in the worst, to the equal, equally, let him offer seats, resting-places, couches; giving them proportionable attendance, when they depart; and honour, as long as they stay.

39. Should another guest arrive, when the oblation is concluded,

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ON MARRIAGE ; OR

called Agnidagdhas, and Anagnidagdhas, the Cávyas, the Barhi-shads, the Agnishwáttas, and the Saumyas, let mankind consider as the chief progenitors of Brahmins.

62. Of those just enumerated, who are generally reputed the principal tribes of Pitrí, the sons and grandsons indefinitely, are also in this world considered as great progenitors.

63. From the Rishis come the Pitrí, or patriarchs ; from the Pitrí, both Dévas and Dánavas ; from the Dévas, this whole world of animals and vegetables, in due order.

64. Mere water, offered with faith to the progenitors of men, in vessels of silver, or adorned with silver, proves the source of incorruption.

65. An oblation by Brahmins to their ancestors transcends an oblation to the deities ; because that to the deities is considered as the opening and completion of that to ancestors.

66. As a preservative of the oblation to the patriarchs, let the house-keeper begin with an offering to the gods ; for the Racshases rend in pieces an oblation which has no such preservative.

67. Let an offering to the gods be made at the beginning and end of the sraddha : it must not begin and end with an offering to ancestors ; for he, who begins and ends it with an oblation to the Pitrí, quickly perishes with his progeny.

68. Let the Brahmin smear with cow-dung a purified and sequestered piece of ground ; and let him, with great care, select a place with a declivity toward the south :

69. The divine manes are always pleased with an oblation in empty glades, naturally clean, on the banks of rivers, and in solitary spots.

70. Having duly made an ablution with water, let him place the invited Brahmins, who have also performed their ablutions, one by one, on allotted seats purified with cusa-grass.

71. When he has placed them with reverence on their seats, let him honour them, (having first honoured the Gods) with fragrant garlands and sweet odours.

72. Having brought water for them with cusa-grass and tila, let the Brahmin, with the Brahmins, pour the oblation, as the law directs, on the holy fire.

73. First, as it is ordained, having satisfied Agni, Soma, and Yama, with clarified butter, let him proceed to satisfy the manes of his progenitors.

74. If he have no consecrated fire, as if he be yet unmarried, or his wife be just deceased, let him drop the oblation into the hand of a Brahmin ; since, what fire is, even such is a Brahmin : as priests, who know the Veda declare :

75. Holy sages call the chief of the twice-born the gods of obsequies, free from wrath, with placid aspects, of a primeval race, employed in the advancement of human creatures.

76. Having walked in order from east to south, and thrown into the fire all the ingredients of his oblation, let him sprinkle water on the ground with his right hand.

77. From the remainder of the clarified butter having formed three balls of rice, let him offer them, with fixed attention, in the same manner as the water, his face being turned to the south :

78. Then having offered those balls, after due ceremonies and with an attentive mind, to the manes of his father, his paternal grandfather, and great grandfather, let him wipe the same hand with the roots of cusa, which he had before used, for the sake of his paternal ancestors in the fourth, fifth, and sixth degrees, who are the partakers of the rice and clarified butter thus wiped off.

79. Having made an ablution, returning toward the north, and thrice suppressing his breath slowly, let him salute the Gods of the six seasons, and the Pitrîs also, being well acquainted with proper texts of the Veda.

80. Whatever water remains in his ewer, let him carry back deliberately near the cakes of rice ; and, with fixed attention, let him smell those cakes, in order as they were offered :

81. Then, taking a small portion of the cakes in order, let him first, as the law directs, cause the Brahmins to eat of them, while they are seated.

82. If his father be alive, let him offer the sraddha to his ancestors in three higher degrees ; or let him cause his own father to eat, as a Brahmin at the obsequies :

83. Should his father be dead, and his grandfather living, let him, in celebrating the name of his father, that is, in performing

CHAPTER III.

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ON MARRIAGE ; OR

on the blades of cusa, must be considered as the portion of deceased Brahmins, not girt with the sacrificial thread, and of such as have deserted unreasonably the women of their own tribe.

108. The residue, that has fallen on the ground at the sraddha to the manes, the wise have decided to be the share of all the servants, who are not crooked in their ways, nor lazy and ill-disposed.

109. Before the obsequies to ancestors as far as the sixth degree, they must be performed to a Brahmin recently deceased; but the performer of them must, in that case, give the sraddha without the ceremony to the Gods, and offer only one round cake; and these obsequies for a single ancestor should be annually performed on the day of his death:

110. When, afterwards, the obsequies to ancestors as far as the sixth degree, inclusively of him, are performed according to law, then must the offering of cakes be made by the descendants in the manner before ordained for the monthly ceremonies.

111. That fool, who, having eaten of the sraddha, gives the residue of it to a man of the servile class, falls headlong down to the hell, named Cálasútra.

112. Should the eater of a sraddha enter, on the same day, the bed of a seducing woman, his ancestors would sleep for that month on her excrement.

113. Having, by the word swaditam, asked the Brahmins if they have eaten well, let him give them, being satisfied, water for an ablution, and courteously say to them, Rest either at home or here.

114. Then let the Brahmins address him, saying swadhá; for in all ceremonies relating to deceased ancestors, the word swadhá is the highest benison.

115. After that, let him inform those, who have eaten, of the food which remains; and, being instructed by the Brahmins, let him dispose of it, as they may direct.

116. At the close of the sraddha to his ancestors, he must ask, if the Brahmins are satisfied, by the word swadita; after that for his family, by the word susruta; after that for his own advancement, by the word sampanna; after that, which has been offered to the gods, by the word ruchita.

117. The afternoon, the cusa-grass, the cleansing of the ground, the tilas, the liberal gifts of food, the due preparation for the repast, and the company of most exalted Brahmins, are true riches in the obsequies to ancestors.

118. The blades of cusa, the holy texts, the forenoon, all the oblations, which will presently be enumerated, and the purification before mentioned, are to be considered as wealth in the sraddha to the gods :

119. Such wild grains as are eaten by hermits, milk, the juice of the moon-plant, meat untainted, and salt unprepared by art, are held things fit, in their own nature, for the last-mentioned offering.

120. Having dismissed the invited Brahmins, keeping his mind attentive, and his speech suppressed, let him, after an ablution, look toward the south, and ask these blessings of the Pitrîs :

121. May generous givers abound in our house ; may the scriptures be studied, and progeny increase, in it ; may faith never depart from us ; and may we have much to bestow on the needy.

122. Thus having ended the sraddha, let him cause a cow, a priest, a kid, or the fire, to devour what remains of the cakes ; or let him cast them into the waters.

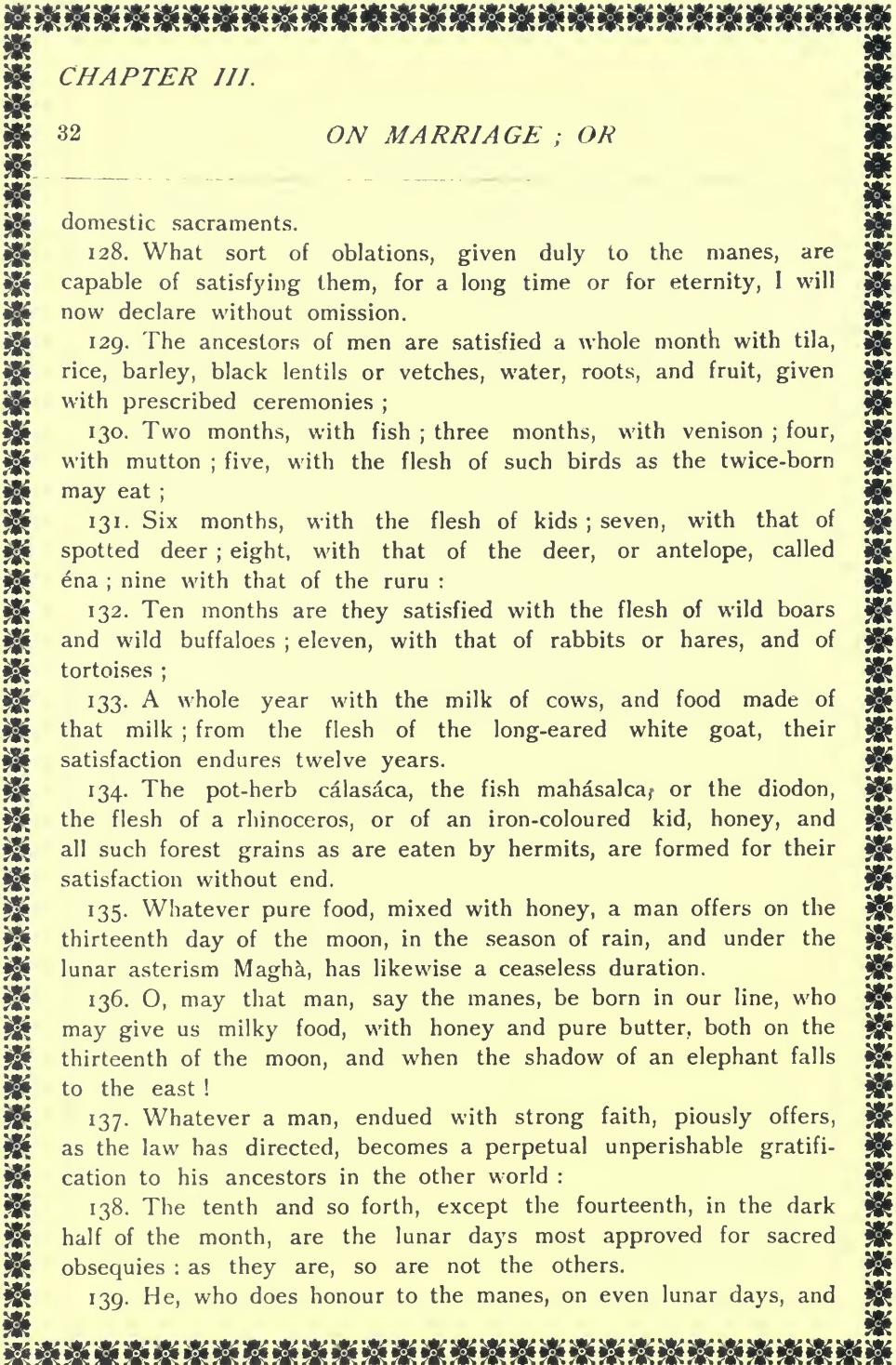
123. Some make the offering of the round cakes after the repast of the Brahmins ; some cause the birds to eat what remains, or cast it into water or fire.

124. Let a lawful wife, ever dutiful to her lord, and constantly honouring his ancestors, eat the middlemost of the three cakes, or that offered to his paternal grandfather, with due ceremonies, praying for offspring :

125. So may she bring forth a son, who will be long-lived, famed, and strong-minded, wealthy, having numerous descendants, endued with the best of qualities, and performing all duties religious and civil.

126. Then, having washed both his hands and sipped water, let him prepare some rice for his paternal kinsmen ; and, having given it them with due reverence, let him prepare food also for his maternal relations.

127. Let the residue continue in its place, until the Brahmins have been dismissed ; and then let him perform the remaining



CHAPTER III.

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ON MARRIAGE ; OR

domestic sacraments.

128. What sort of oblations, given duly to the manes, are capable of satisfying them, for a long time or for eternity, I will now declare without omission.

129. The ancestors of men are satisfied a whole month with tila, rice, barley, black lentils or vetches, water, roots, and fruit, given with prescribed ceremonies ;

130. Two months, with fish ; three months, with venison ; four, with mutton ; five, with the flesh of such birds as the twice-born may eat ;

131. Six months, with the flesh of kids ; seven, with that of spotted deer ; eight, with that of the deer, or antelope, called éna ; nine with that of the ruru :

132. Ten months are they satisfied with the flesh of wild boars and wild buffaloes ; eleven, with that of rabbits or hares, and of tortoises ;

133. A whole year with the milk of cows, and food made of that milk ; from the flesh of the long-eared white goat, their satisfaction endures twelve years.

134. The pot-herb cálasáca, the fish mahásalca, or the diodon, the flesh of a rhinoceros, or of an iron-coloured kid, honey, and all such forest grains as are eaten by hermits, are formed for their satisfaction without end.

135. Whatever pure food, mixed with honey, a man offers on the thirteenth day of the moon, in the season of rain, and under the lunar asterism Maghà, has likewise a ceaseless duration.

136. O, may that man, say the manes, be born in our line, who may give us milky food, with honey and pure butter, both on the thirteenth of the moon, and when the shadow of an elephant falls to the east !

137. Whatever a man, endued with strong faith, piously offers, as the law has directed, becomes a perpetual unperishable gratification to his ancestors in the other world :

138. The tenth and so forth, except the fourteenth, in the dark half of the month, are the lunar days most approved for sacred obsequies : as they are, so are not the others.

139. He, who does honour to the manes, on even lunar days, and

under even lunar stations, enjoys all his desires ; on odd lunar days, and under odd lunar asterisms, he procures an illustrious race.

140. As the latter, or dark, half of the month surpasses, for the celebration of obsequies, the former, or bright half, so the latter half of the day surpasses, for the same purpose, the former half of it.

141. The oblation to ancestors must be duly made, even to the conclusion of it with the distribution to the servants (or even to the close of life), in the form prescribed, by a Brahmin wearing his thread on his right shoulder, proceeding from left to right, without remissness, and with cusa-grass in his hand.

142. Obsequies must not be performed by night ; since the night is called rácshasi, or infested by demons ; nor while the sun is rising or setting, nor when it has just risen.

143. A house-keeper, unable to give a monthly repast, may perform obsequies here below, according to the sacred ordinance, only thrice a year, in the seasons of hémanta, grishma, and vershà ; but the five sacraments he must perform daily.

144. The sacrificial oblation at obsequies to ancestors is ordained to be made in no vulgar fire ; nor should the monthly sraddha of that Brahmin, who keeps a perpetual fire, be made on any day, except on that of the conjunction.

145. When a twice-born man, having performed his ablution, offers a satisfaction to the manes with water only, being unable to give a repast, he gains by that offering all the fruit of a sraddha.

146. The wise call our fathers, Vasus ; our paternal grandfathers, Rudras ; our paternal great grandfathers, Adityas (that is, all are to be revered as deities) ; and to this effect there is a primeval text in the Veda.

147. Let a man, who is able, continually feed on vighasa, and continually feed on amrita : by vighasa is meant the residue of a repast at obsequies ; and by amrita, the residue of a sacrifice to the gods.

148. This complete system of rules, for the five sacraments and the like, has been declared to you : now hear the law for those means of subsistence, which the chief of the twice-born may seek.



CHAPTER IV.

On Economics ; and Private Morals.

1. **L**ET a Brahmin, having dwelt with a preceptor during the first quarter of a man's life, pass the second quarter of human life in his own house, when he has contracted a legal marriage.

2. He must live, with no injury, or with the least possible injury, to animated beings, by pursuing those means of gaining subsistence, which are strictly prescribed by law, except in times of distress :

3. For the sole purpose of supporting life, let him acquire property by those irreproachable occupations which are peculiar to his class, and unattended with bodily pain.

4. He may live by rita and amrita, or, if necessary, by mrita, or pramrita, or even by satyánrita ; but never let him subsist by swavritti :

5. By rita, must be understood lawful gleaning and gathering ; by amrita, what is given unasked ; by mrita, what is asked as alms ; tillage is called pramrita ;

6. Traffic and money-lending are satyánrita ; even by them, when he is deeply distressed, may he support life ; but service for hire is named swavritti, or dog-living, and of course he must by all means avoid it.

7. He may either store up grain for three years ; or garner up enough for one year : or collect what may last three days ; or make no provision for the morrow.

8. Of the four Brahmins keeping house, who follow those four different modes, a preference is given to the last in order successively ; as to him, who most completely by virtue has vanquished the world :

9. One of them subsists by all the six means of livelihood ; another by three of them ; a third by two only ; and a fourth lives barely on continually teaching the Veda.

10. He, who sustains himself by picking up grains and ears, must attach himself to some altar of consecrated fire, but constantly perform those rites only, which end with the dark and bright fortnights and with the solstices.

11. Let him never, for the sake of a subsistence, have recourse to popular conversation ; let him live by the conduct of a priest, neither crooked, nor artful, nor blended with the manners of the mercantile class.

12. Let him, if he seek happiness, be firm in perfect content, and check all desire of acquiring more than he possesses ; for happiness has its root in content, and discontent is the root of misery.

13. A Brahmin keeping house, and supporting himself by any of the legal means before-mentioned, must discharge these following duties, which conduce to fame, length of life, and beatitude.

14. Let him daily without sloth perform his peculiar duty, which the Sruti prescribes ; for he, who performs that duty, as well as he is able, attains the highest path to supreme bliss.

15. He must not gain wealth by music or dancing, or by any art that pleases the sense ; nor by any prohibited art ; nor, whether

CHAPTER IV.

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ON ECONOMICS;

he be rich or poor, must he receive gifts indiscriminately.

16. Let him not, from a selfish appetite, be strongly addicted to any sensual gratification ; let him, by improving his intellect, studiously preclude an excessive attachment to such pleasures, even though lawful.

17. All kinds of wealth, that may impede his reading the Sruti, let him wholly abandon, persisting by all means in the study of scripture ; for that will be found his most beneficial attainment.

18. Let him pass through this life, bringing his apparel, his discourse, and his frame of mind, to a conformity with his age, his occupations, his property, his divine knowledge, and his family.

19. Each day let him examine those holy books, which soon give increase of wisdom ; and those, which teach the means of acquiring wealth ; those, which are salutary to life ; and those, which are explanatory of the Sruti.

20. Since, as far as a man studies completely the system of sacred literature, so far only can he become eminently learned, and so far may his learning shine brightly.

21. Let a Brahmin perpetually make oblations to consecrated fire at the beginning and end of day and night, and at the close of each fortnight, or at the conjunction and opposition.

22. Let him take care, to the utmost of his power, that no guest sojourn in his house unhonoured with a seat, with food, with a bed, with water, with esculent roots, and with fruit :

23. A priest, who is master of a family, and pines with hunger, may seek wealth from a king of the military class, from a sacrificer, or his own pupil, but from no person else, unless all other helps fail : thus will he show his respect for the law.

24. Let no priest, who keeps house, and is able to procure food, ever waste himself with hunger ; nor, when he has any substance, let him wear old or sordid clothes.

25. His hair, nails, and beard, being clipped ; his passions subdued ; his mantle, white ; his body, pure ; let him diligently occupy himself in reading the Veda, and be constantly intent on such acts, as may be salutary to him.

26. Let him carry a staff of Vénu, an ewer with water in it, a handful of cusa-grass, or a copy of the Veda ; with a pair of bright

golden rings in his ears.

27. He must not gaze on the sun, whether rising or setting, or eclipsed, or reflected in water, or advanced to the middle of the sky.

28. Over a string, to which a calf is tied, let him not step; nor let him run, while it rains; nor let him look on his own image in water: this is a settled rule.

29. By a mound of earth, by a cow, by an idol, by a Brahmin, by a pot of clarified butter, or of honey, by a place where four ways meet, and by large trees well known in the district, let him pass with his right hand toward them.

30. Let him not, though mad with desire, approach his wife, when her courses appear; nor let him then sleep with her in the same bed;

31. Since the knowledge, the manhood, the strength, the eyesight, even the vital spirit of him, who approaches his wife thus defiled, utterly perish;

32. But the knowledge, the manhood, the strength, the sight, and the life of him, who avoids her in that state of defilement, are greatly increased.

33. Let him neither eat with his wife, nor look at her eating, or sneezing, or yawning, or sitting carelessly at her ease;

34. Nor let a Brahmin, who desires manly strength, behold her setting off her eyes with black powder, or scenting herself with essences, or baring her bosom, or bringing forth a child.

35. Let him not eat his food, wearing only a single cloth; nor let him bathe quite naked; nor let him eject urine or feces in the highway, nor on ashes, nor where kine are grazing;

36. Nor on tilled ground, nor in water, nor on wood raised for burning, nor, unless he be in great need, on a mountain, nor on the ruins of a temple, nor at any time on a nest of white ants;

37. Nor in ditches with living creatures in them, nor walking, nor standing, nor on the bank of a river, nor on the summit of a mountain:

38. Nor let him ever eject them, looking at things moved by the wind, or at fire, or at a priest, or at the sun, or at water, or at cattle;

CHAPTER IV.

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39. But let him void his excrements, having covered the earth with wood, potsherds, dry leaves and grass, or the like, carefully suppressing his utterance, wrapping up his breast and his head :

40. By day let him void them with his face to the north ; by night, with his face to the south ; at sunrise and at sunset, in the same manner as by day ;

41. In the shade or in darkness, whether by day or by night, let a Brahmin ease nature with his face turned as he pleases ; and in places where he fears injury to life from wild beasts or from reptiles.

42. Of him, who should urine against fire, against the sun or the moon, against a twice-born man, a cow, or the wind, all the sacred knowledge would perish.

43. Let him not blow the fire with his mouth ; let him not see his wife naked ; let him not throw any foul thing into the fire ; nor let him warm his feet in it ;

44. Nor let him place it in a chafing-dish under his bed ; nor let him stride over it ; nor let him keep it, while he sleeps, at his feet : let him do nothing that may be injurious to life.

45. At the time of sunrise or sunset, let him not eat, nor travel, nor lie down to rest ; let him not idly draw lines on the ground ; nor let him take off his own chaplet of flowers.

46. Let him not cast into the water either urine or ordure, nor saliva, nor cloth, or any other thing, soiled with impurity, nor blood, nor any kinds of poison.

47. Let him not sleep alone in an empty house ; nor let him wake a sleeping man superior to himself in wealth and in learning ; nor let him speak to a woman at the time of her courses ; nor let him go to perform a sacrifice, unattended by an officiating priest.

48. In a temple of consecrated fire, in the pasture of kine, in the presence of Brahmins, in reading the Veda, and in eating his food, let him hold out his right arm uncovered.

49. Let him not interrupt a cow while she is drinking, nor give notice to any, whose milk or water she drinks ; nor let him, who knows right from wrong, and sees in the sky the bow of Indra, show it to any man.

50. Let him not inhabit a town, in which civil and religious

duties are neglected ; nor, for a long time, one in which diseases are frequent ; let him not begin a journey alone : let him not reside long on a mountain.

51. Let him never take pleasure in asking idle questions : let him neither dance nor sing, nor play on musical instruments, except in religious rites.

52. Let him not wash his feet in a pan of mixed yellow metal ; nor let him eat from a broken dish, nor where his mind is disturbed with anxious apprehensions.

53. Let him not use either slippers or clothes, or a sacerdotal string, or an ornament, or a garland, or a water-pot, which before have been used by another.

54. With untrained beasts of burden let him not travel ; nor with such as are oppressed by hunger or by disease ; nor with such as have imperfect horns, eyes, or hoofs ; nor with such as have ragged tails :

55. But let him constantly travel with beasts well trained, whose pace is quick, who bear all the marks of a good breed, who have an agreeable colour, and a beautiful form ; giving them very little pain with his whip.

56. The sun in the sign of Canyà, the smoke of a burning corse, and a broken seat, must be shunned : he must never cut his own hair and nails, nor ever tear his nails with his teeth.

57. Let him not break mould or clay without cause ; let him not cut grass with his nails ; let him neither indulge any vain fancy, nor do any act, that can bring no future advantage.

58. He, who thus idly breaks clay, or cuts grass, or bites his nails, will speedily sink to ruin ; and so shall a detractor, and an unclean person.

59. Let him use no contumelious phrase : let him wear no garland except on his hair.

60. Let him not pass, otherwise than by the gate, into a walled town, or an inclosed house ; and by night let him keep aloof from the roots of trees.

61. Never let him play with dice : let him not put off his sandals with his hand : let him not eat, while he reclines on a bed, nor what is placed in his hand, or on a bench.

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62. Let him take his food, having sprinkled his feet with water ; but never let him sleep with his feet wet : he, who takes his food with his feet so sprinkled, will attain long life.

63. Let him never advance into a place undistinguishable by his eye, or not easily passable.

64. Let not a man, who desires to enjoy long life, stand upon hair, nor upon ashes, bones, or potsherds, nor upon seeds of cotton, nor upon husks of grain.

65. Nor let him tarry even under the shade of the same tree with outcasts for great crimes, nor with Chandálas, nor with Pucasas, nor with idiots, nor with men proud of wealth, nor with washermen and other vile persons, nor with Antyavasáyins.

66. Let him not give even temporal advice to a Súdra ; nor, except to his own servant, what remains from his table ; nor clarified butter, of which part has been offered to the gods ; not let him in person give spiritual counsel to such a man, nor personally inform him of the legal expiation for his sin.

67. Surely he, who declares the law to a servile man, and he, who instructs him in the mode of expiating sin, except by the intervention of a priest, sinks with that very man into the hell named Asamvrita.

68. Let him not stroke his head with both hands ; nor let him even touch it, while food remains in his mouth ; nor without bathing it, let him bathe his body.

69. Let him not in anger lay hold of hair, or smite any one on the head ; nor let him, after his head has been rubbed with oil, touch with oil any of his limbs.

70. From a king, not born in the military class, let him accept no gift, nor from such as keep a slaughter-house, or an oil-press, or put out a vintner's flag, or subsist by the gain of prostitutes.

71. One oil-press is as bad as ten slaughter-houses ; one vintner's flag, as ten oil-presses ; one prostitute, as ten vintner's flags ; one such king, as ten prostitutes ;

72. With a slaughterer, therefore, who employs ten thousand slaughter-houses, a king, not a soldier by birth, is declared to be on a level ; and a gift from him is tremendous.

73. He, who receives a present from an avaricious king and a

transgressor of the sacred ordinances, goes to hell :

74. Tamisra, Andhatamisra, Mahaurava, Raurava, Naraca, Cälasutra, and Mahanaraca ;

75. Sanjivana, Mahavichi, Tapana, Sampratapana, Sanhata, Sacacola, Cudmala, Putimrittica ;

76. Lohasancu, or iron-spiked, and Rijisha, Pant'hana, the river Salmali, Asipatravana, or the sword-leaved forest, and Lohangaraca, or the pit of red-hot charcoal.

77. Brahmins, who know this law, who speak the words of the Veda, and who seek bliss after death, accept no gifts from a king.

78. Let the house-keeper wake in the time sacred to Brahmî, the goddess of speech, that is, in the last watch of the night : let him then reflect on virtue and virtuous emoluments, on the bodily labour, which they require, and on the whole meaning and very essence of the Veda.

79. Having risen, having done what nature makes necessary, having then purified himself and fixed his attention, let him stand a long time repeating the gáyatrî for the first or morning twilight ; as he must, for the last or evening twilight in its proper time.

80. By continued repetition of the gáyatrî, at the twilights, the holy sages acquire length of days, perfect knowledge, reputation during life, fame after death, and celestial glory.

81. Having duly performed the upácarma, or domestic ceremony with sacred fire, at the full moon of Srávana, or of Bhádra, let the Brahmin, fully exerting his intellectual powers, read the Vedas during four months and one fortnight :

82. Under the lunar asterism Pushya, or on the first day of the bright half of Mágha, and in the first part of the day, let him perform, out of the town, the ceremony called the utserga of the Vedas.

83. Having performed that ceremony out of town, as the law directs, let him desist from reading for one intermediate night winged with two days, or for that day and that following night only ;

84. But after that intermission, let him attentively read the Vedas in the bright fortnights ; and in the dark fortnights let him

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constantly read all the Vedangas.

85. He must never read the Veda without accents and letters well pronounced ; nor ever in the presence of Súdras ; nor, having begun to read it in the last watch of the night, must he, though fatigued, sleep again.

86. By the rule just mentioned let him continually, with his faculties exerted, read the Mantras, or holy texts, composed in regular measures ; and, when he is under no restraint, let him read both the Mantras and the Brahmenas, or chapters on the attributes of God.

87. Let a reader of the Veda, and a teacher of it to his pupils, in the form prescribed, always avoid reading on the following prohibited days :

88. By night, when the wind meets his ear, and by day when the dust is collected, he must not read in the season of rain ; since both those times are declared unfit for reading, by such as know when the Veda ought to be read.

89. In lightning, thunder, and rain, or during the fall of large fire-balls on all sides, at such times Menu has ordained the reading of scripture to be deferred till the same time next day.

90. When the priest perceives those accidents occurring at once, while his fires are kindled for morning and evening sacrifices, then let him know, that the Veda must not be read ; and when clouds are seen gathered out of season.

91. On the occasion of a preternatural sound from the sky, of an earthquake, or an obscuration of the heavenly bodies, even in due season, let him know, that his reading must be postponed till the proper time.

92. But if, while his fires are blazing, the sound of lightning and thunder is heard without rain, his reading must be discontinued, only while the phenomenon lasts ; the remaining event, or rain also, happening, it must cease for a night and a day.

93. The reading of such, as wish to attain the excellent reward of virtue, must continually be suspended in towns and in cities, and always where an offensive smell prevails.

94. In a district, through which a corpse is carried, and in the presence of an unjust person, the reading of scripture must cease ;

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and while the sound of weeping is heard ; and in a promiscuous assembly of men.

95. In water, near midnight, and while the two natural excretions are made, or with a remnant of food in the mouth, or when the sraddha has recently been eaten, let no man even meditate in his heart on the holy texts.

96. A learned Brahmin, having received an invitation to the obsequies of a single ancestor, must not read the Veda for three days ; nor when the king has a son born ; nor when the dragon's head causes an eclipse.

97. As long as the scent and unctuousness of perfumes remain on the body of a learned priest, who has partaken of an entertainment, so long he must abstain from pronouncing the texts of the Veda.

98. Let him not read lolling on a couch, nor with his feet raised on a bench, nor with his thighs crossed, nor having lately swallowed meat, or the rice and other food given on the birth or death of a relation ;

99. Nor in a cloud of dust, nor while arrows whiz, or a lute sounds, nor in either of the twilights, nor at the conjunction, nor on the fourteenth day, nor at the opposition, nor on the eighth day, of the moon :

100. The dark lunar day destroys the spiritual teacher ; the fourteenth destroys the learner ; the eighth and the day of the full moon destroy all remembrance of scripture ; for which reasons he must avoid reading on those lunar days.

101. Let no Brahmin read, while dust falls like a shower, nor while the quarters of the firmament are inflamed, nor while shakals yell, nor while dogs bark or yelp, nor while asses or camels bray, nor while men in company chatter.

102. He must not read near a cemetery, near a town, or in a pasture for kine ; nor in a mantle worn before at a time of dalliance ; nor having just received the present usual at obsequies.

103. Be it an animal, or a thing inanimate, or whatever be the gift at a sraddha, let him not, having lately accepted it, read the Veda ; for such a Brahmin is said to have his mouth in his hand.

104. When the town is beset by robbers, or an alarm has been

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raised by fire, and in all terrors from strange phenomena, let him know, that his lecture must be suspended till the due time after the cause of terror be ceased.

105. The suspension of reading scripture, after a performance of the upácarma and utserga, must be for three whole nights, by the man who seeks virtue more than knowledge; also for one day and night, on the eighth lunar days which follow those ceremonies, and on the nights at the close of the seasons.

106. Never let him read on horseback, nor on a tree, nor on an elephant, nor in a boat, nor on an ass, nor on a camel, nor standing on barren ground, nor borne in a carriage;

107. Nor during a verbal altercation, nor during a mutual assault, nor with an army, nor in battle, nor after food, while his hand is moist from washing, nor with an indigestion, nor after vomiting, nor with sour eructations;

108. Nor without notice to a guest just arrived, nor while the wind vehemently blows, nor when blood gushes from his body, nor when it is wounded by a weapon.

109. While the strain of the Sáman meets his ear, he shall not read the Rich, or the Yajush; nor any part of the Veda, when he has just concluded the whole; nor any other part, when he has just finished the book entitled Aranyaca :

110. The Rigveda is held sacred to the gods; the Yajurveda relates to mankind; the Sámaveda concerns the manes of ancestors, and the sound of it, when chanted, raises therefore a notion of something impure.

111. Knowing this collection of rules, let the learned read the Veda on every lawful day, having first repeated in order the pure essence of the three Vedas, namely, the pranava, the vyáhritis, and the gáyatrì.

112. If a beast used in agriculture, a frog, a cat, a dog, a snake, an ichneumon, or a rat, pass between the lecturer and his pupil, let him know, that the lecture must be intermitted for a day and a night.

113. Two occasions, when the Veda must not be read, let a Brahmin constantly observe with great care; namely, when the place for reading it is impure, and when he is himself unpurified.

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114. On the dark night of the moon, and on the eighth, on the night of the full moon, and on the fourteenth, let a Brahmin, who keeps house, be continually chaste as a student in theology, even in the season of nuptial embraces.

115. Let him not bathe, having just eaten ; nor while he is afflicted with disease ; nor in the middle of the night ; nor with many clothes ; nor in a pool of water imperfectly known.

116. Let him not intentionally pass over the shadow of sacred images, of a natural or spiritual father, of a king, of a Brahmin, who keeps house, or of any reverend personage ; nor of a red-haired or copper-coloured man ; nor of one who has just performed a sacrifice.

117. At noon or at midnight, or having eaten flesh at a sraddha, or in either of the twilights, let him not long tarry, where four ways meet.

118. He must not stand knowingly near oil and other things, with which a man has rubbed his body, or water, in which he has washed himself, or feces and urine, or blood, or mucus, or any thing chewed and spitten out, or any thing vomited.

119. Let him show no particular attention to his enemy, or his enemy's friend, to an unjust person, to a thief, or to the wife of another man ;

120. Since nothing is known in this world so obstructive to length of days, as the culpable attention of a man to the wife of another.

121. Never let him, who desires an increase of wealth, despise a warrior, a serpent, or a priest versed in scripture, how mean soever they may appear ;

122. Since those three, when contemned, may destroy a man ; let a wise man therefore always beware of treating those three with contempt :

123. Nor should he despise even himself on account of previous miscarriages : let him pursue Fortune till death, nor ever think her hard to be attained.

124. Let him say what is true, but let him say what is pleasing ; let him speak no disagreeable truth, nor let him speak agreeable falsehood : this is a primeval rule.

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125. Let him say "well and good," or let him say "well" only ; but let him not maintain fruitless enmity and altercation with any man.

126. Let him not journey too early in the morning or too late in the evening, nor too near the mid-day, nor with an unknown companion, nor alone, nor with men of the servile class.

127. Let him not insult those, who want a limb, or have a limb redundant, who are unlearned, who are advanced in age, who have no beauty, who have no wealth, or who are of an ignoble race.

128. Let no priest, unwashed after food, touch with his hand a cow, a Brahmin, or fire ; nor being in good health and unpurified, let him even look at the luminaries in the firmament :

129. But, having accidentally touched them before his purification, let him ever sprinkle, with water in the palm of his hand, his organs of sensation, all his limbs, and his navel.

130. Not being in pain from disease, let him never without cause touch the cavities of his body ; and carefully let him avoid his concealed hair.

131. Let him be intent on those propitious observances which lead to good fortune, and on the discharge of his customary duties, his body and mind being pure, and his members kept in subjection ; let him constantly without remissness repeat the gáyatrí, and present his oblation to fire :

132. To those, who are intent on good fortune and on the discharge of their duties, who are always pure, who repeat the holy text and make oblations to fire, no calamity happens.

133. In due season let him ever study the scripture without negligence ; for the sages call that his principal duty : every other duty is declared to be subordinate.

134. By reading the Sruti continually, by purity of body and mind, by rigorous devotion, and by doing no injury to animated creatures, he brings to remembrance his former birth :

135. A Brahmin, remembering his former birth, again reads the Sruti, and, by reading it constantly, attains bliss without end.

136. On the days of the conjunction and opposition, let him constantly make those oblations, which are hallowed by the gáyatrí, and those, which avert misfortune ; but on the eighth and ninth

lunar days of the three dark fortnights after the end of Agraháyan, let him always do reverence to the manes of ancestors.

137. Far from the mansion of holy fire, let him remove all ordure ; far let him remove water, in which feet have been washed ; far let him remove all remnants of food, and all seminal impurity.

138. At the beginning of each day let him discharge his feces, bathe, rub his teeth, apply a collyrium to his eyes, adjust his dress, and adore the gods.

139. On the dark lunar day, and on the other monthly parvans, let him visit the images of deities, and Brahmins eminent in virtue, and the ruler of the land, for the sake of protection, and those whom he is bound to revere.

140. Let him humbly greet venerable men, who visit him, and give them his own seat ; let him sit near them, closing the palms of his hands ; and when they depart, let him walk some way behind them.

141. Let him practise without intermission that system of approved usages, which is the root of all duty religious and civil, declared at large in the scripture and sacred law tracts, together with the ceremonies peculiar to each act :

142. Since by such practice long life is attained ; by such practice is gained wealth unperishable ; such practice baffles every mark of ill fortune :

143. But, by an opposite practice, a man surely sinks to contempt in this world, has always a large portion of misery, is afflicted with disease and short-lived ;

144. While the man, who is observant of approved usages, endued with faith in scripture, and free from a spirit of detraction, lives a hundred years, even though he bear no bodily mark of a prosperous life.

145. Whatever act depends on another man, that act let him carefully shun ; but whatever depends on himself, to that let him studiously attend ;

146. All, that depends on another, gives pain ; and all, that depends on himself, gives pleasure ; let him know this to be in few words the definition of pleasure and pain.

147. When an act, neither prescribed nor prohibited, gratifies

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the mind of him who performs it, let him perform it with diligence ; but let him avoid its opposite.

148. Him, who explained the *Sruti* or even a part of it, his mother, and his father, natural or spiritual, let him never oppose ; nor priests, nor cows, nor persons truly devout.

149. Denial of a future state, neglect of the scripture, and contempt of the deities, envy and hatred, vanity and pride, wrath and severity, let him at all times avoid.

150. Let him not, when angry, throw a stick at another man, nor smite him with any thing ; unless he be a son or a pupil : those two he may chastise for their improvement in learning.

151. A twice-born man, who barely assaults a Brahmin with intention to hurt him, shall be whirled about for a century in the hell named Tamisra ;

152. But, having smitten him in anger and by design, even with a blade of grass, he shall be born, in one and twenty transmigrations, from the wombs of impure quadrupeds.

153. He, who, through ignorance of the law, sheds blood from the body of a Brahmin, not engaged in battle, shall feel excessive pain in his future life :

154. As many particles of dust as the blood shall roll up from the ground, for so many years shall the shedder of that blood be mangled by other animals in his next birth.

155. Let not him then, who knows this law, even assault a Brahmin at any time, nor strike him even with grass, nor cause blood to gush from his body.

156. Even here below an unjust man attains no felicity ; nor he, whose wealth proceeds from giving false evidence ; nor he, who constantly takes delight in mischief.

157. Though oppressed by penury, in consequence of his righteous dealings, let him never give his mind to unrighteousness ; for he may observe the speedy overthrow of iniquitous and sinful men.

158. Iniquity, committed in this world, produces not fruit immediately, but, like the earth, in due season ; and, advancing by little and little, it eradicates the man who committed it.

159. Yes ; iniquity, once committed, fails not of producing fruit to him, who wrought it ; if not in his own person, yet in his sons ;

or, if not in his sons, yet in his grandsons :

160. He grows rich for a while through unrighteousness ; then he beholds good things ; then it is, that he vanquishes his foes ; but he perishes at length from his whole root upwards.

161. Let a man continually take pleasure in truth, in justice, in laudable practices, and in purity ; let him chastise those, whom he may chastise, in a legal mode ; let him keep in subjection his speech, his arm, and his appetite :

162. Wealth and pleasures, repugnant to law, let him shun ; and even lawful acts, which may cause future pain, or be offensive to mankind.

163. Let him not have nimble hands, restless feet, or voluble eyes ; let him not be crooked in his ways ; let him not be flippant in his speech, nor intelligent in doing mischief.

164. Let him walk in the path of good men ; the path in which his parents and forefathers walked : while he moves in that path, he can give no offence.

165. With a teacher of the Sruti, with his maternal uncle, with his guest or a dependent, with a child, with a man either aged or sick, with a physician, with his paternal kindred, with his relations by marriage, and with cousins on the side of his mother, with his mother herself, or with his father, with his kinswomen, with his brother, with his son, his wife, or his daughter, and with his whole set of servants let him have no strife.

166. A house-keeper, who shuns altercation with those just mentioned, is released from all secret faults ; and, by suppressing all such disputes, he obtains a victory over the following worlds .

167. The teacher of the Veda secures him the world of Brahma ; his father, the world of the Sun, or of the Prajápatis ; his guest, the world of Indra ; his attendance on holy fire, the world of Dévas ;

168. His female relations, the world of celestial nymphs ; his maternal cousins, the world of the Viswadévas ; his relations by affinity, the world of waters ; his mother and maternal uncle give him power on earth ;

169. Children, old men, poor dependents, and sick persons, must be considered as rulers of the pure ether ; his elder brother, as

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equal to his father ; his wife and son, as his own body ;

170. His assemblage of servants, as his own shadow ; his daughter, as the highest object of tenderness : let him, therefore, when offended by any of those, bear the offence without indignation.

171. Though permitted to receive presents, let him avoid a habit of taking them ; since, by taking many gifts, his divine light soon fades.

172. Let no man of sense, who has not fully informed himself of the law concerning gifts of particular things, accept a present, even though he pine with hunger.

173. The man who knows not that law, yet accepts gold or gems, land, a horse, a cow, food, raiment, oils or clarified butter, becomes mere ashes, like wood consumed by fire :

174. Gold and gems burn up his nourishment and life ; land and a cow, his body ; a horse, his eyes ; raiment, his skin ; clarified butter, his manly strength ; oils, his progeny.

175. A twice-born man, void of true devotion, and not having read the Sruti, yet eager to take a gift, sinks down together with it, as with a boat of stone in deep water.

176. Let him then, who knows not the law, be fearful of presents from this or that giver ; since an ignorant man, even by a small gift, may become helpless as a cow in a bog.

177. Let no man, apprized of this law, present even water to a priest, who acts like a cat, nor to him, who acts like a bittern, nor to him, who is unlearned in the Veda ;

178. Since property, though legally gained, if it be given to either of those three, becomes prejudicial in the next world, both to the giver and receiver :

179. As he, who tries to pass over deep water in a boat of stone, sinks to the bottom, so those two ignorant men, the receiver and the giver, sink to a region of torment.

180. A covetous wretch, who continually displays the flag of virtue, a pretender, a deluder of the people, is declared to be the man who acts like a cat : he is an injurious hypocrite, a detractor from the merits of all men.

181. A twice-born man, with his eyes dejected, morose, intent on

his own advantage, sly, and falsely demure, is he, who acts like a bittern.

182. Such priests, as live like bitterns, and such as demean themselves like cats, fall by that sinful conduct into hell.

183. Let no man, having committed sin, perform a penance, under the pretext of austere devotion, disguising his crime under fictitious religion, and deceiving both women and low men :

184. Such impostors, though Brahmins, are despised in the next life and in this, by all who pronounce holy texts ; and every religious act fraudulently performed goes to evil beings.

185. He, who has no right to distinguishing marks, yet gains a subsistence by wearing false marks of distinction, takes to himself the sin committed by those who are entitled to such marks, and shall again be born from the womb of a brute animal.

186. Never let him bathe in the pool of another man ; for he, who bathes in it without license, takes to himself a small portion of the sins, which the maker of the pool has committed.

187. He, who appropriates to his own use the carriage, the bed, the seat, the well, the garden, or the house of another man, who has not delivered them to him, assumes a fourth part of the guilt of their owner.

188. In rivers, in ponds dug by holy persons, and in lakes, let him always bathe ; in rivulets also, and in torrents.

189. A wise man should constantly discharge all the moral duties, though he perform not constantly the ceremonies of religion ; since he falls low, if, while he performs ceremonial acts only, he discharge not his moral duties.

190. Never let a priest eat part of a sacrifice not begun with texts of the Veda, nor of one performed by a common sacrificer, by a woman, or by an eunuch :

191. When those persons offer the clarified butter, it brings misfortune to good men, and raises aversion in the deities ; such oblations, therefore, he must carefully shun.

192. Let him never eat the food of the insane, the wrathful, or the sick ; nor that, on which lice have fallen ; nor that, which has designedly been touched by a foot ;

193. Nor that, which has been looked at by the slayer of a

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priest, or by any other deadly sinner, or has even been touched by a woman in her courses, or pecked by a bird, or approached by a dog :

194. Nor food which has been smelled by a cow ; nor particularly that which has been proclaimed for all comers ; nor the food of associated knaves, or of harlots ; nor that, which is contemned by the learned in scripture ;

195. Nor that of a thief or a public singer, of a carpenter, of an usurer, of one who has recently come from a sacrifice, of a niggardly churl, or of one bound with fetters ;

196. Of one publicly defamed, of an eunuch, of an unchaste woman, or of a hypocrite : nor any sweet thing turned acid, nor what has been kept a whole night ; nor the food of a servile man, nor the orts of another ;

197. Nor the food of a physician, or of a hunter, or of a dishonest man, or of an eater of orts ; nor that of any cruel person ; nor of a woman in child-bed ; nor of him, who rises prematurely from table to make an ablution ; nor of her, whose ten days of purification have not elapsed ;

198. Nor that, which is given without due honour to honourable men ; nor any flesh, which has not been sacrificed ; nor the food of a woman, who has neither a husband nor a son ; nor that of a foe, nor that of the whole town, nor that of an outcast, nor that on which any person has sneezed ;

199. Nor that of a backbiter, or of a false witness ; nor of one, who sells the reward of his sacrifice ; nor of a public dancer, or a tailor ; nor of him who has returned evil for good ;

200. Nor that of a blacksmith, or a man of the tribe called Nisháda, nor of a stage-player, nor of a worker in gold or in cane, nor of him who sells weapons ;

201. Nor of those, who train hunting-dogs, or sell fermented liquor ; nor of him who washes clothes, or who dyes them ; nor of any malevolent person ; nor of one, who ignorantly suffers an adulterer to dwell under his roof ;

202. Nor of those, who knowingly bear with the paramours of their own wives, or are constantly in subjection to women ; nor food given for the dead before ten days of purification have passed ;

nor any food whatever, but that which satisfies him.

203. Food given by a king, impairs his manly vigour ; by one of the servile class, his divine light ; by goldsmiths, his life ; by leather-cutters, his good name :

204. Given by cooks and the like mean artisans, it destroys his offspring ; by a washerman, his muscular strength ; but the food of knavish associates and harlots excludes him from heaven :

205. The food of a physician is purulent ; that of a libidinous woman, seminal ; that of an usurer, seculent ; that of a weapon-seller, filthy :

206. That of all others, mentioned in order, whose food must never be tasted, is held equal by the wise to the skin, bones, and hair of the dead.

207. Having unknowingly swallowed the food of any such persons, he must fast during three days ; but, having eaten it knowingly, he must perform the same harsh penance, as if he had tasted any seminal impurity, ordure, or urine.

208. Let no learned priest eat the dressed grain of a servile man, who performs no parental obsequies ; but, having no other means to live, he may take from him raw grain enough for a single night.

209. The deities, having well considered the food of a niggard, who has read the scripture, and that of an usurer, who bestows gifts liberally, declared the food of both to be equal in quality ;

210. But Brahma, advancing towards the gods, thus addressed them : " Make not that equal, which in truth is unequal ; since the food of a liberal man is purified by faith, while that of a learned miser is defiled by his want of faith in what he has read."

211. Let each wealthy man continually and sedulously perform sacred rites, and consecrate pools or gardens with faith ; since those two acts, accomplished with faith and with riches honestly gained, procure an unperishable reward :

212. If he meet with fit objects of benevolence, let him constantly bestow gifts on them, to the best of his power and with a cheerful heart ;

213. Such a gift, how small soever, bestowed on request without grudging, passes to a worthy object, who will secure the giver

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from evil.

214. A giver of water obtains content ; a giver of food, extreme bliss ; a giver of tila, desired offspring ; a giver of a lamp, unblemished eyesight ;

215. A giver of land obtains landed property ; a giver of gems or gold, long life ; a giver of a house, the most exalted mansion ; a giver of silver, exquisite beauty ;

216. A giver of clothes, the same station with Chandra ; a giver of a horse, the same station with Aswi ; a giver of a bull, eminent fortune ; a giver of a cow, the mansion of Súrya ;

217. A giver of a carriage or a bed, an excellent consort ; a giver of safety, supreme dominion ; a giver of grain, perpetual delight ; a giver of scriptural knowledge, union with God :

218. Among all those gifts, of water, food, kine, land, clothes, tila, gold, clarified butter, and the rest, a gift of spiritual knowledge is consequently the most important ;

219. And for whatever purpose a man bestows any gift, for a similar purpose he shall receive, with due honour, a similar reward.

220. Both he, who respectfully bestows a present, and he who respectfully accepts it, shall go to a seat of bliss.

221. Let not a man be proud of his rigorous devotion ; let him not, having sacrificed, utter a falsehood ; let him not, though injured, insult a priest ; having made a donation, let him never proclaim it.

222. By falsehood, the sacrifice becomes vain ; by pride, the merit of devotion is lost ; by insulting priests, life is diminished ; and by proclaiming a largess, its fruit is destroyed.

223. Giving no pain to any creature, let him collect virtue by degrees, for the sake of acquiring a companion to the next world, as the white ant by degrees builds his nest ;

224. For, in his passage to the next world, neither his father, nor his mother, nor his wife, nor his son, nor his kinsmen, will remain in his company : his virtue alone will adhere to him.

225. Single is each man born ; single he dies ; single he receives the reward of his good, and single the punishment of his evil, deeds :

226. When he leaves his corse, like a log or a lump of clay, on the ground, his kindred retire with averted faces ; but his virtue

accompanies his soul.

227. Continually, therefore, by degrees, let him collect virtue, for the sake of securing an inseparable companion ; since with virtue for his guide, he will traverse a gloom, how hard to be traversed !

228. A man, habitually virtuous, whose offences have been expiated by devotion, is instantly conveyed after death to the higher world, with a radiant form and a body of ethereal substance.

229. He, who seeks to preserve an exalted rank, must constantly form connexions with the highest and best families, but avoid the worst and the meanest ;

230. Since a priest, who connects himself with the best and highest of men, avoiding the lowest and worst, attains eminence ; but sinks, by an opposite conduct, to the class of the servile.

231. He, who perseveres in good actions, in subduing his passions, in bestowing largesses, in gentleness of manners, who bears hardships patiently, who associates not with the malignant, who gives pain to no sentient being, obtains beatitude.

232. Wood, water, roots, fruit, and food placed before him without his request, he may accept from all men ; honey also, and protection from danger.

233. Gold, or other alms, voluntarily brought and presented, but unasked and unpromised, Brahma considered as receivable even from a sinner :

234. Of him, who shall disdain to accept such alms, neither will the manes eat the funeral oblations for fifteen years, nor will the fire convey the burnt sacrifice to the gods.

235. A bed, houses, blades of cusa, perfumes, water, flowers, jewels, butter-milk, ground rice, fish, new milk, flesh-meat, and green vegetables, let him not proudly reject.

236. When he wishes to relieve his natural parents or spiritual father, his wife or others, whom he is bound to maintain, or when he is preparing to honour deities or guests, he may receive gifts from any person, but must not gratify himself with such presents :

237. If his parents, however, be dead, or if he live without them in his own house, let him, when he seeks nourishment for himself, receive presents invariably from good men alone.

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238. A labourer in tillage, a family friend, a herdsman, a slave, a barber, a poor stranger offering his humble duty, are men of the servile class, who may eat the food of their superiors :

239. As the nature of the poor stranger is, as the work is, which he desires to perform, and as he may show most respect to the master of the house, even thus let him offer his service ;

240. He, who describes himself to worthy men, in a manner contrary to truth, is the most sinful wretch in this world : he is the worst of thieves, a stealer of minds.

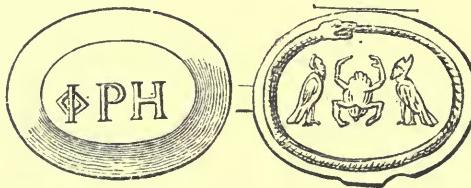
241. All things have their sense ascertained by speech ; in speech they have their basis ; and from speech they proceed : consequently, a falsifier of speech falsifies every thing.

242. When he has paid, as the law directs, his debts to the sages, and to the gods, by reading the scripture, begetting a son, and performing regular sacrifices, he may resign all to his son of mature age, and reside in his family house, with no employment, but that of an umpire.

243. Alone, in some solitary place, let him constantly meditate on the divine nature of the soul, for by such meditation he will attain happiness.

244. Thus has been declared the mode, by which a Brahmin, who keeps house, must continually subsist, together with the rule of devotion ordained for a pupil returned from his preceptor ; a laudable rule, which increases the best of the three qualities.

245. A priest, who lives always by these rules, who knows the ordinances of the Sruti, who is freed from the bondage of sin, shall be absorbed in the Divine Essence.





CHAPTER V.

On Diet, Purification, and Women.

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1. **B**IRDS, that strike with their beaks, web-footed birds, the coyashti, those who wound with strong talons, and those who dive to devour fish ; let him avoid meat kept at a slaughter-house, and dried meat,
2. The heron, the raven, the c'hanjana, all amphibious fish-eaters, tame hogs, and fish of every sort, but those expressly permitted.
3. He, who eats the flesh of any animal, is called the eater of that animal itself ; and a fish-eater is an eater of all flesh ; from fish, therefore, he must diligently abstain :
4. Yet the two fish, called pat'hina and rohita, may be eaten by the guests, when offered at a repast in honour of the gods or the

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manes ; and so may the rajíva, the sinhatunda, and the sasalca of every species.

5. Let him not eat the flesh of any solitary animals, nor of unknown beasts or birds, though by general words declared eatable, nor of any creature with five claws ;

6. The hedgehog and porcupine, the lizard godhá, the gandaca, the tortoise, and the rabbit or hare, wise legislators declare lawful food among five-toed animals ; and all quadrupeds, camels excepted, which have but one row of teeth.

7. The twice-born man, who has intentionally eaten a mushroom, the flesh of a tame hog, or a town-cock, a leek, or an onion, or garlic, is degraded immediately ;

8. But having undesignedly tasted either of those six things, he must perform the penance santapana, or the chandrayana, which anchorets practise ; for other things he must fast a whole day.

9. One of those harsh penances, called prajapatya, the twice-born man must perform annually, to purify him from the unknown taint of illicit food ; but he must do particular penance for such food intentionally eaten.

10. Beasts and birds of excellent sorts may be slain by Brahmins for sacrifice, or for the sustenance of those, whom they are bound to support ; since Agastya did this of old.

11. No doubt, in the primeval sacrifices by holy men, and in oblations by those of the priestly and military tribes, the flesh of such beasts and birds, as may be legally eaten, was presented to the deities.

12. That, which may be eaten or drunk, when fresh, without blame, may be swallowed, if touched with oil, though it has been kept a whole night ; and so may the remains of clarified butter :

13. And every mess prepared with barley or wheat, or with dressed milk, may be eaten by the twice-born, although not sprinkled with oil.

14. Thus has the food, allowed or forbidden to a twice-born man, been comprehensively mentioned : I will now propound the special rules for eating and for avoiding flesh-meat.

15. He should taste meat, which has been hallowed for a sacrifice with appropriated texts, and, once only, when a priest shall

desire him, and when he is performing a legal act, or in danger of losing life.

16. For the sustenance of the vital spirit, Brahma created all this animal and vegetable system ; and all, that is moveable or immoveable, that spirit devours.

17. Things fixed are eaten by creatures with locomotion ; toothless animals, by animals with teeth ; those without hands, by those to whom hands were given ; and the timid, by the bold.

18. He, who eats according to law, commits no sin, even though every day he tastes the flesh of such animals, as may lawfully be tasted ; since both animals, who may be eaten, and those who eat them, were equally created by Brahma.

19. It is delivered as a rule of the gods, that meat must be swallowed only for the purpose of sacrifice ; but it is a rule of gigantic demons, that it may be swallowed for any other purpose.

20. No sin is committed by him, who, having honoured the deities and the manes, eats flesh-meat, which he has bought, or which he has himself acquired, or which has been given him by another :

21. Let no twice-born man, who knows the law, and is not in urgent distress, eat flesh without observing this rule ; for he, unable to save himself, will be devoured in the next world by those animals, whose flesh he has thus illegally swallowed.

22. The sin of him, who kills deer for gain, is not so heinous, with respect to the punishment in another life, as that of him, who eats flesh-meat in vain, or not previously offered as a sacrifice :

23. But the man, who, engaged in holy rites according to law, refuses to eat it, shall sink in another world, for twenty-one births, to the state of a beast.

24. Never let a priest eat the flesh of cattle unhallowed with mantras, but let him eat it, observing the primeval rule, when it has been hallowed with those texts of the Veda.

25. Should he have an earnest desire to taste flesh-meat, he may gratify his fancy by forming the image of some beast with clarified butter thickened, or he may form it with dough ; but never let him indulge a wish to kill any beast in vain :

26. As many hairs as grow on the beast, so many similar deaths

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shall the slayer of it, for his own satisfaction in this world, endure in the next from birth to birth.

27. By the Self-existing in person were beasts created for sacrifice ; and the sacrifice was ordained for the increase of this universe : the slaughterer, therefore, of beasts for sacrifice is in truth no slaughterer.

28. Gramineous plants, cattle, timber-trees, amphibious animals, and birds, which have been destroyed for the purpose of sacrifice, attain in the next world exalted births.

29. On a solemn offering to a guest, at a sacrifice, and in holy rites to the manes or to the gods, but on those occasions only, may cattle be slain : this law Menu enacted.

30. The twice-born man, who, knowing the meaning and principles of the Veda, slays cattle on the occasions mentioned, conveys both himself and those cattle to the summit of beatitude.

31. Let no twice-born man, whose mind is improved by learning, hurt animals without the sanction of scripture, even though in pressing distress, whether he live in his own house, or in that of his preceptor, or in a forest.

32. That hurt, which the scripture ordains, and which is done in this world of moveable and immoveable creatures, he must consider as no hurt at all ; since law shone forth from the light of the scripture.

33. He, who injures animals, that are not injurious, from a wish to give himself pleasure, adds nothing to his own happiness, living or dead ;

34. While he, who gives no creature willingly the pain of confinement or death, but seeks the good of all sentient beings, enjoys bliss without end.

35. He, who injures no animated creature, shall attain without hardship whatever he thinks of, whatever he strives for, whatever he fixes his mind on.

36. Flesh-meat can not be procured without injury to animals, and the slaughter of animals obstructs the path to beatitude ; from flesh-meat, therefore, let man abstain :

37. Attentively considering the formation of bodies, and the death or confinement of embodied spirits, let him abstain from eating flesh-

meat of any kind.

38. The man, who forsakes not the law, and eats not flesh-meat, like a bloodthirsty demon, shall attain good will in this world, and shall not be afflicted with maladies.

39. He, who consents to the death of an animal ; he, who kills it ; he, who dissects it ; he, who buys it ; he, who sells it ; he, who dresses it ; he, who serves it up ; and he, who makes it his food ; these are eight principals in the slaughter.

40. Not a mortal exists more sinful than he, who, without an oblation to the manes or the gods, desires to enlarge his own flesh with the flesh of another creature.

41. The man, who performs annually, for a hundred years, an aswaméda, or sacrifice of a horse, and the man, who abstains from flesh-meat, enjoy for their virtue an equal reward.

42. By subsisting on pure fruit and on roots, and by eating such grains as are eaten by hermits, a man reaps not so high a reward, as by carefully abstaining from animal food.

43. "Me he (mán sa) will devour in the next world, whose flesh I eat in this life ;" thus should a flesh-eater speak, and thus the learned pronounce the true derivation of the word mánsa, or flesh.

44. In lawfully tasting meat, in drinking fermented liquor, in caressing women, there is no turpitude ; for to such enjoyments men are naturally prone : but a virtuous abstinence from them produces a signal compensation.

45. Now will I promulgate the rules of purification for the dead, and the modes of purifying inanimate things, as the law prescribes them for the four classes in due order.

46. When a child has teathed, and when, after teething, his head has been shorn, and when he has been girt with his thread, and when, being full grown, he dies, all his kindred are impure : on the birth of a child the law is the same.

47. By a dead body, the sapindas are rendered impure in the law for ten days, or until the fourth day, when the bones have been gathered up, or for three days, or for one day only, according to the qualities of the deceased :

48. Now the relation of the sapindas, or men connected by the

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funeral cake, ceases with the seventh person, or in the sixth degree of ascent or descent, and that of samanodacas, or those connected by an equal oblation of water, ends only, when their births and family names are no longer known.

49. As this impurity, by reason of a dead kinsman, is ordained for sapindas, even thus it is ordained on a childbirth, for those who seek absolute purity.

50. Uncleanness, on account of the dead, is ordained for all ; but on the birth of a child, for the mother and father : impurity, for ten days after the childbirth, affects the mother only ; but the father, having bathed, becomes pure.

51. A man, having wasted his manhood, is purified by bathing ; but, after begetting a child on a parapurva, he must meditate for three days on his impure state.

52. In one day and night, added to nights three times three, the sapindas are purified after touching the corpse ; but the samanodacas, in three days.

53. A pupil in theology, having performed the ceremony of burning his deceased preceptor, becomes pure in ten nights : he is equal, in that case, to the sapindas, who carry out the dead.

54. In a number of nights, equal to the number of months from conception, a woman is purified on a miscarriage ; and a woman in her courses is rendered pure by bathing, when her effusion of blood has quite stopped.

55. For deceased male children, whose heads have not been shorn, purity is legally obtained in one night ; but for those, on whom that ceremony has been performed, a purification of three nights is required.

56. A dead child under the age of two years, let his kinsmen carry out having decked him with flowers, and bury him in pure ground, without collecting his bones at a future time :

57. Let no ceremony with fire be performed for him, nor that of sprinkling water ; but his kindred, having left him like a piece of wood in the forest, shall be unclean for three days.

58. For a child under the age of three years, the ceremony with water shall not be performed by his kindred ; but, if his teeth be completely grown, or a name have been given him, they may per-

form it, or not, at their option.

59. A fellow-student in theology being dead, three days of impurity are ordained ; and, on the birth of a samanodaca, purification is required for three nights.

60. The relations of betrothed but unmarried damsels, are in three days made pure ; and, in as many, are their paternal kinsmen purified after their marriage :

61. Let them eat vegetable food without factitious, that is, only with native, salt ; let them bathe for three days at intervals ; let them taste no flesh-meat ; and let them sleep apart on the ground.

62. This rule, which ordains impurity by reason of the dead, relates to the case of one dying near his kinsmen ; but, in the case of one dying at a distance, the following rule must be observed by those, who share the same cake, and by those, who share only the same water :

63. The man, who hears that a kinsman is dead in a distant country, becomes unclean, if ten days after the death have not passed, for the remainder of those ten days only :

64. But, if the ten days have elapsed, he is impure for three nights, and, if a year have expired, he is purified merely by touching water.

65. If, after the lapse of ten days, he know the death of a kinsman, or the birth of a male child, he must purify himself by bathing together with his clothes.

66. Should a child, whose teeth are not grown, or should a samanodaca, die in a distant region, the kinsman, having bathed with his apparel, becomes immediately pure.

67. If, during the ten days, another death or another birth intervene, a Brahmin remains impure, only till those ten days have elapsed.

68. A spiritual teacher being dead, the sages declare his pupil impure for three days ; but for a day and a night, if the son or wife of the teacher be deceased : such is the sacred ordinance.

69. For a reader of the whole Veda, who dwells in the same house, a man is unclean three nights ; but for a maternal uncle, a pupil, an officiating priest, and a distant kinsman, only one night winged with two days.

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70. On the death of a military king, in whose dominion he lives, his impurity lasts while the sun or the stars give light ; but it lasts a whole day, on the death of a priest, who has not read the whole Veda, or of a spiritual guide, who has read only part of it, with its Angas.

71. A man of the sacerdotal class becomes pure in ten days ; of the warlike, in twelve ; of the commercial, in fifteen ; of the servile, in a month.

72. Let no man prolong the days of impurity ; let him not intermit the ceremonies to be performed with holy fires : while he performs those rites, even though he be a sapinda, he is not impure.

73. He, who has touched a Chandála, a woman in her courses, an outcast for deadly sin, a new-born child, a corpse, or one who has touched a corpse, is made pure by bathing.

74. If, having sprinkled his mouth with water, and been long intent on his devotion, he see an unclean person, let him repeat, as well as he is able, the solar texts of the Veda, and those, which confer purity.

75. Should a Brahmin touch a human bone moist with oil, he is purified by bathing ; if it be not oily, by stroking a cow, or by looking at the sun, having sprinkled his mouth duly with water.

76. A student in theology shall not perform the ceremony of pouring water at obsequies, until he have completed his course of religious acts ; but if, after the completion of them, he thus make an offering of water, he becomes pure in three nights.

77. For those, who discharge not their prescribed duties, for those, whose fathers were of a lower class than their mothers, for those, who wear a dress of religion unauthorized by the Veda, and for those, who illegally kill themselves, the ceremony of giving funeral water is forbidden by law ;

78. And for women imitating such heretics, as wear an unlawful dress, and for such women as live at their own pleasure, or have caused an abortion, or have stricken their husbands, or have drunk any spirituous liquor.

79. A student violates not the rules of his order, by carrying out, when dead, his own instructor in the Vedas, who invested him with his holy cord, or his teacher of particular chapters, or his

reverend expounder of their meaning, or his father, or his mother.

80. Let men carry out a dead Súdra by the southern gate of the town ; but the twice-born, in due order, by the western, northern, and eastern gates.

81. No taint of impurity can light on kings or students in theology, while employed in discharging their several duties, nor on those who have actually begun a sacrifice ; for the first are then placed on the seat of Indra, and the others are always equally pure with the celestial spirit.

82. To a king, on the throne of magnanimity, the law ascribes instant purification, because his throne was raised for the protection of his people and the supply of their nourishment :

83. It is the same with the kinsmen of those, who die in battle, after the king has been slain, or have been killed by lightning, or legally by the king himself, or in defence of a cow, or of a priest ; and with all those, whom the king wishes to be pure.

84. The corporeal frame of a king is composed of particles from Soma, Agni, Surya, Pavana, Indra, Cuvera, Varuna, and Yama, the eight guardian deities of the world :

85. By those guardians of men in substance is the king pervaded, and he can not by law be impure ; since by those tutelar gods are the purity and impurity of mortals both caused and removed.

86. By a soldier, discharging the duties of his class, and slain in the field with brandished weapons, the highest sacrifice is, in that instant, complete ; and so is his purification : this law is fixed.

87. A priest, having performed funeral rites, is purified by touching water ; a soldier, by touching his horse or elephant, or his arms ; a husbandman, by touching his goad, or the halter of his cattle ; a servant, by touching his staff.

88. This mode of purifying sapindas, O chief of the twice-born, has been fully declared to you ; learn now the purification required on the death of kinsmen less intimately connected.

89. A Brahmin, having carried out a dead Brahmin, though not a sapinda, with the affection of a kinsman, or any of those nearly related to him by his mother, becomes pure in three days ;

90. But, if he taste the food offered by their sapindas, he is

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purified in ten days ; and in one day, if he neither partake of their food, nor dwell in the same house.

91. If he voluntarily follow a corpse, whether of a paternal kinsman or of another, and afterwards bathe with his apparel, he is made pure by touching fire and tasting clarified butter.

92. Let no kinsman, whilst any of his own class are at hand, cause a deceased Brahmin to be carried out by a Súdra ; since the funeral rite, polluted by the touch of a servile man, obstructs his passage to heaven.

93. Sacred learning, austere devotion, fire, holy aliment, earth, the mind, water, smearing with cow-dung, air, prescribed acts of religion, the sun, and time, are purifiers of embodied spirits ;

94. But of all pure things, purity in acquiring wealth, is pronounced the most excellent : since he, who gains wealth with clean hands, is truly pure ; not he, who is purified merely with earth and water.

95. By forgiveness of injuries, the learned are purified ; by liberality, those who have neglected their duty ; by pious meditation, those who have secret faults ; by devout austerity, those who best know the Veda.

96. By water and earth is purified what ought to be made pure ; a river, by its current ; a woman, whose thoughts have been impure, by her monthly discharge, and the chief of twice-born men, by fixing his mind wholly on God.

97. Bodies are cleansed by water ; the mind is purified by truth ; the vital spirit, by theology and devotion ; the understanding, by clear knowledge.

98. Thus have you heard me declare the precise rules for purifying animal bodies : hear now the modes of restoring purity to various inanimate things.

99. Of brilliant metals, of gems, and of every thing made with stone, the purification, ordained by the wise, is with ashes, water, and earth.

100. A golden vessel, not smeared, is cleansed with water only ; and every thing produced in water, as coral, shells, or pearls, and every stony substance, and a silver vessel not enchased.

101. From a junction of water and fire arose gold and silver ;

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and they two, therefore, are best purified by the elements, whence they sprang.

102. Vessels of copper, iron, brass, pewter, tin, and lead, may be fitly cleansed with ashes, with acids, or with water.

103. The purification ordained for all sorts of liquids, is by stirring them with cusa-grass ; for cloths folded, by sprinkling them with hallowed water ; for wooden utensils, by planing them.

104. For the sacrificial pots to hold clarified butter and juice of the moon-plant, by rubbing them with the hand, and washing them, at the time of the sacrifice :

105. Implements to wash the rice, to contain the oblations, to cast them into the fire, to collect, winnow, and prepare the grain, must be purified with water made hot.

106. The purification by sprinkling is ordained for grain and cloths in large quantities ; but to purify them in small parcels, which a man may easily carry, they must be washed.

107. Leatheren utensils, and such as are made with cane, must generally be purified in the same manner with cloths ; green vegetables, roots, and fruit, in the same manner with grain ;

108. Silk and woollen stuff, with saline earths ; blankets from Népála, with pounded arishtas, or nimba fruit ; vests and long drawers, with the fruit of the Vilva ; mantles of eshuma, with white mustard-seeds.

109. Utensils made of shells or of horn, of bones or of ivory, must be cleansed by him, who knows the law, as mantles of eshuma are purified, with the addition of cows' urine or of water.

110. Grass, firewood, and straw, are purified by sprinkling them with water ; a house, by rubbing, brushing, and smearing with cow-dung ; an earthen pot, by a second burning :

111. But an earthen pot, which has been touched with any spirituous liquor, with urine, with ordure, with spittle, with pus, or with blood, can not, even by another burning, be rendered pure.

112. Land is cleansed by five modes ; by sweeping, by smearing with cow-dung, by sprinkling with cows' urine, by scraping, or by letting a cow pass a day and a night on it.

113. A thing nibbled by a bird, smelt at by a cow, shaken with a foot, sneezed on, or defiled by lice, is purified by earth

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scattered over it.

114. As long as the scent or moisture, caused by any impurity, remain on the thing soiled, so long must earth and water be repeatedly used in all purifications of things inanimate.

115. The gods declared three pure things peculiar to Brahmans ; what has been defiled without their knowledge ; what, in cases of doubt, they sprinkle with water ; and what they command with their speech.

116. Waters are pure, as far as a cow goes to quench her thirst in them, if they flow over clean earth, and are sullied by no impurity, but have a good scent, colour, and taste.

117. The hand of an artist employed in his art is always pure ; so is every vendible commodity, when exposed to sale ; and that food is always clean, which a student in theology has begged and received : such is the sacred rule.

118. The mouth of a woman is constantly pure ; a bird is pure on the fall of fruit, which he has pecked ; a sucking animal, on the flowing of the milk ; a dog, on his catching the deer :

119. The flesh of a wild beast slain by dogs, Menu pronounces pure ; and that of an animal slain by other carnivorous creatures, or by men of the mixed class, who subsist by hunting.

120. All the cavities above the navel are pure, and all below it, unclean ; so are all excretions, that fall from the body.

121. Gnats, clear drops from the mouth of a speaker, a shadow, a cow, a horse, sunbeams, dust, earth, air, and fire, must all be considered as clean, even when they touch an unclean thing.

122. For the cleansing of vessels, which have held ordure or urine, earth and water must be used, as long as they are needful ; and the same for cleansing the twelve corporeal impurities.

123. Oily exudations, seminal fluids, blood, dandruff, urine, feces, ear-wax, nail-parings, phlegm, tears, concretions on the eyes, and sweat, are the twelve impurities of the human frame.

124. By the man, who desires purity, one piece of earth together with water must be used for the conduit of urine, three for that of the feces ; so, ten for one hand, that is, the left ; then seven for both : but, if necessary, more must be used.

125. Such is the purification of married men ; that of students

must be double ; that of hermits, triple ; that of men wholly recluse, quadruple.

126. Let each man sprinkle the cavities of his body, and taste water in due form, when he has discharged urine or feces ; when he is going to read the Veda ; and, invariably, before he takes his food :

127. First, let him thrice taste water ; then twice let him wipe his mouth, if he be of a twice-born class, and desire corporeal purity ; but a woman or servile man may once respectively make that ablution.

128. Súdras, engaged in religious duties, must perform each month the ceremony of shaving their heads ; their food must be the orts of Brahmans ; and their mode of purification, the same with that of a Vaisya.

129. Such drops of water, as fall from the mouth or any part of the body, render it not unclean ; nor hairs of the beard, that enter the mouth ; nor what adheres awhile to the teeth.

130. Drops, which trickle on the feet of a man holding water for others, are held equal to waters flowing over pure earth ; by them he is not defiled.

131. He, who carries in any manner an inanimate burden, and is touched by any thing impure, is cleansed by making an ablution, without laying his burden down.

132. Having vomited or been purged, let him bathe and taste clarified butter, but, if he have eaten already, let him only perform an ablution : for him, who has been connected with a woman, bathing is ordained by law.

133. Having slumbered, having sneezed, having eaten, having spitten, having told untruths, having drunk water, and going to read sacred books, let him, though pure, wash his mouth.

134. The sages, having heard those laws delivered for the conduct of housekeepers, thus addressed the high-minded Brigoo, child of the Spirit of fire : O Master, declare unto us now the laws relating to women.

135. Then he, whose disposition was perfect virtue, even Brigoo, the son of the Messenger, thus made answer :

136. This perfect system of rules for purifying men of all classes,

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ON DIET, PURIFICATION,

and for cleansing inanimate things, has been declared to you : hear now the laws concerning women.

137. By a girl, or by a young woman, or by a woman advanced in years, nothing must be done, even in her own dwelling-place, according to her mere pleasure :

138. In childhood must a female be dependent on her father ; in youth, on her husband ; her lord being dead, on her sons ; if she have no sons, on the near kinsmen of her husband ; if he left no kinsmen, on those of her father ; if she have no paternal kinsmen, on the sovereign : a woman must never seek independence.

139. Never let her wish to separate herself from her father, her husband, or her sons ; for, by a separation from them, she exposes both families to contempt.

140. She must always live with a cheerful temper, with good management in the affairs of the house, with great care of the household furniture, and with a frugal hand in all her expenses.

141. Him, to whom her father has given her, or her brother with the paternal assent, let her obsequiously honour, while he lives ; and, when he dies, let her never neglect him.

142. The recitation of holy texts, and the sacrifice ordained by the lord of creatures, are used in marriages for the sake of procuring good fortune to brides ; but the first gift, or troth plighted, by the husband, is the primary cause and origin of marital dominion.

143. When the husband has performed the nuptial rites, he gives bliss continually to his wife here below, both in season and out of season ; and he will give her happiness in the next world.

144. Even though devoid of good qualities, yet a husband must constantly be revered by a virtuous wife.

145. No sacrifice is allowed to women apart from their husbands, no religious rite, no fasting : as far only as a wife honours her lord, so far she is exalted in heaven.

146. A faithful wife, who wishes to attain in heaven the mansion of her husband, must do nothing unkind to him, be he living or dead :

147. Let her emaciate her body, by living voluntarily on pure flowers, roots, and fruit ; but let her not, when her lord is deceased, even pronounce the name of another man.

148. Let her continue till death forgiving all injuries, performing harsh duties, avoiding every sensual pleasure, and cheerfully practising the incomparable rules of virtue, which have been followed by such women, as were devoted to one only husband.

149. A virtuous wife ascends to heaven, though she have no child, if, after the decease of her lord, she devote herself to pious austerity :

150. But a widow, who, from a wish to bear children, slighted her deceased husband by marrying again, brings disgrace on herself here below, and shall be excluded from the seat of her lord : nor is a second husband allowed, in any part of this code, to a virtuous woman.

151. She, who neglects her former (*púrva*) lord, though of a lower class, and takes another (*para*) of a higher, becomes despicable in this world, and is called *parapúrvá*, or one who had a different husband before.

152. A married woman, who violates the duty, which she owes to her lord, brings infamy on herself in this life ;

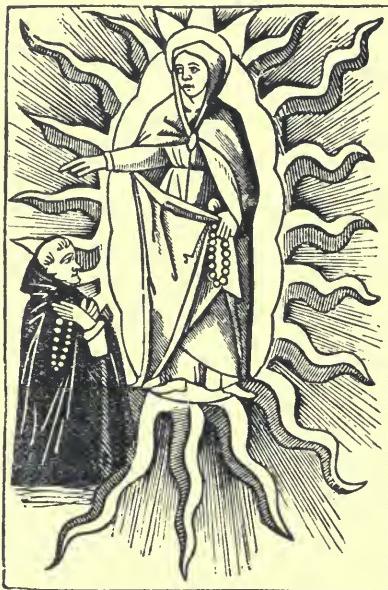
153. While she, who slighted not her lord, but keeps her mind, speech, and body, devoted to him, attains his heavenly mansion, and by good men is called *sádhwī*, or virtuous.

154. Yes ; by this course of life it is, that a woman, whose mind, speech, and body are kept in subjection, acquires high renown in this world, and, in the next, the same abode with her husband.

155. A twice-born man, versed in sacred ordinances, must burn, with hallowed fire and fit implements of sacrifice, his wife dying before him.

156. Having thus kindled sacred fires, and performed funeral rites to his wife, who died before him, he may again marry, and again light the nuptial fire.

157. Let him not cease to perform day by day, according to the preceding rules, the five great sacraments ; and, having taken a lawful consort, let him dwell in his house during the second period of his life.



CHAPTER VI.

On Devotion; or on the Third and Fourth Orders.

1. HAVING thus remained in the order of a housekeeper, as the law ordains, let the twice-born man, who had before completed his studentship, dwell in a forest, his faith being firm and his organs wholly subdued.

2. When the father of a family perceives his muscles become flaccid and his hair gray, and sees the child of his child, he may then seek refuge in a forest :

3. Abandoning all food eaten in towns, and all his household utensils, let him repair to the lonely wood, committing the care of his wife to her sons, or accompanied by her, if she choose to attend him, and, departing from the town to the forest, let

him dwell in it with complete power over his organs of sense and of action.

4. With many sorts of pure food, such as holy sages used to eat, with green herbs, roots, and fruit, let him perform the great duties of the law.

5. Let him wear a black antelope's hide, or a vesture of bark ; let him bathe evening and morning ; let him suffer the hairs of his head, his beard, and his nails to grow continually.

6. From such food as himself may eat, let him, to the utmost of his power, make offerings and give alms ; and with presents of water, roots, and fruit, let him honour those who visit his hermitage.

7. Let him be constantly engaged in reading the *Sruti* ; patient of all extremities, universally benevolent, with a mind intent on the Supreme Being ; a perpetual giver, but no receiver of gifts ; with tender affection for all animated bodies.

8. Let him, as the law directs, make oblations on the hearth with three sacred fires ; not omitting in due time the ceremonies to be performed at the conjunction and opposition of the moon.

9. Let him also perform the sacrifice ordained in honour of the lunar constellations, make the prescribed offering of new grain, and solemnize holy rites every four months, and at the winter and summer solstices.

10. With pure grains, the food of ancient sages, growing in the vernal and autumnal seasons, and brought home by himself, let him severally make, as the law ordains, the oblations of cakes and boiled grain ;

11. And, having presented to the gods, that purest oblation, which the wild woods produced, let him eat what remains, together with some native salt, which himself collected.

12. Let him eat green herbs, flowers, roots, and fruit, that grow on earth or in water, and the productions of pure trees, and oils formed in fruits.

13. Honey and flesh-meat he must avoid, and all sorts of mushrooms, the plant *bhústrina*, that named *sigrucha*, and the fruit of the *sléshmáta*.

14. In the month *Aswina* let him cast away the food of sages, which he before had laid up, and his vesture, then become old,

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and his herbs, roots, and fruit.

15. Let him not eat the produce of ploughed land, though abandoned by any man, who owns it, nor fruit and roots produced in a town, even though hunger oppress him.

16. He may eat what is mellowed by fire, and he may eat what is ripened by time; and either let him break hard fruits with a stone, or let his teeth serve as a pestle.

17. Either let him pluck enough for a day, or let him gather enough for a month; or let him collect enough for six months, or lay up enough for a year.

18. Having procured food, as he is able, he may eat it at eve or in the morning; or he may take only every fourth, or every eighth, such regular meal;

19. Or, by the rules of the lunar penance, he may eat a mouthful less each day of the bright, and a mouthful more each day of the dark fortnight; or he may eat only once, at the close of each fortnight, a mess of boiled grains:

20. Or he may constantly live on flowers and roots, and on fruit matured by time, which has fallen spontaneously, strictly observing the laws ordained for hermits.

21. At sunrise, at noon, and at sunset, let him go to the waters and bathe.

22. In the hot season, let him sit exposed to five fires, four blazing around him with the sun above; in the rains, let him stand uncovered, without even a mantle, where the clouds pour the heaviest showers; in the cold season, let him wear humid vesture; and let him increase by degrees the austerity of his devotion:

23. Performing his ablution at the three Savanas, let him give satisfaction to the manes and to the gods; and, enduring harsher and harsher mortifications, let him dry up his bodily frame.

24. Then, having reposed his holy fires, as the law directs, in his mind, let him live without external fire, without a mansion, wholly silent, feeding on roots and fruit;

25. Not solicitous for the means of gratification, chaste as a student, sleeping on the bare earth, in the haunts of pious hermits, without one selfish affection, dwelling at the roots of trees.

26. From devout Brahmins let him receive alms to support life,

or from other housekeepers of twice-born classes, who dwell in the forest :

27. Or the hermit may bring food from a town, having received it in a basket of leaves, in his naked hand, or in a potsherd ; and then let him swallow eight mouthfuls.

28. These and other rules must a Brahmin, who retires to the woods, diligently practise ; and, for the purpose of uniting his soul with the Divine Spirit, let him study the scripture, or chapters on the essence and attributes of God,

29. Which have been studied with reverence by anchorites versed in theology, and by housekeepers, who dwelt afterwards in forests, for the sake of increasing their sublime knowledge and devotion, and for the purification of their bodies.

30. Or, if he has any incurable disease, let him advance in a straight path, towards the invincible north-eastern point, feeding on water and air, till his mortal frame totally decay, and his soul become united with the Supreme.

31. A Brahmin, having shuffled off his body by any of those modes, which great sages practised, and becoming void of sorrow and fear, rises to exaltation in the Divine Essence.

32. Having thus performed religious acts in a forest during the third portion of his life, let him become a Sannyásí for the fourth portion of it, abandoning all sensual affections, and wholly reposing in the Supreme Spirit :

33. The man, who has passed from order to order, and has kept his members in subjection, but, tired with so long a course of giving alms and making offerings, thus reposes himself entirely on God, shall be raised after death to glory.

34. When he has paid his three debts to the sages, the manes, and the gods, let him apply his mind to final beatitude ; but low shall he fall, who presumes to seek beatitude, without having discharged those debts :

35. After he has read the Vedas in the form prescribed by law, has legally begotten a son, and has performed sacrifices to the best of his power, he has paid his three debts, and may then apply his heart to eternal bliss ;

36. But if a Brahmin have not read the Veda, if he have not

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begotten a son, and if he have not performed sacrifices, yet shall aim at final beatitude, he shall sink to a place of degradation.

37. Having performed the sacrifice of Prajápati, accompanied with a gift of all his wealth, and having reposed in his mind the sacrificial fires, a Brahmin may proceed from his house, that is, from the second order, or he may proceed even from the first, to the condition of a Sannyásí.

38. Higher worlds are illuminated with the glory of that man.

39. To the Brahmin, by whom not even the smallest dread has been occasioned by sentient creatures, there can be no dread from any quarter whatever, when he obtains a release from his mortal body.

40. Departing from his house, taking with him pure implements, his water-pot and staff, keeping silence, unallured by desire of the objects near him, let him enter into the fourth order.

41. Alone let him constantly dwell, for the sake of his own felicity ; observing the happiness of a solitary man, who neither forsakes nor is forsaken, let him live without a companion.

42. Let him have no culinary fire, no domicile ; let him, when very hungry, go to the town for food ; let him patiently bear disease ; let his mind be firm ; let him study to know God, and fix his attention on God alone.

43. An earthen water-pot, the roots of large trees, coarse vesture, total solitude, equanimity toward all creatures, these are the characteristics of a Brahmin set free.

44. Let him not wish for death ; let him not wish for life ; let him expect his appointed time, as a hired servant expects his wages.

45. Let him advance his foot purified by looking down, lest he touch any thing impure ; let him drink water purified by straining with a cloth ; let him, if he choose to speak, utter words purified by truth ; let him by all means keep his heart purified.

46. Let him bear a reproachful speech with patience ; let him speak reproachfully to no man ; let him not, on account of this frail and feverish body, engage in hostility with any one living.

47. With an angry man let him not in his turn be angry ; abused, let him speak mildly ; nor let him utter a word relating to vain illusory things and confined within seven gates, the five organs of

sense, the heart and the intellect ; or this world, with three above and three below it.

48. Delighted with meditating on the Supreme Spirit, sitting fixed in such meditation, without needing any thing earthly, without one sensual desire, without any companion but his own soul, let him live in this world seeking the bliss of the next.

49. Neither by explaining omens and prodigies, nor by skill in astrology and palmistry, nor by casuistry and expositions of holy texts, let him at any time gain his daily support.

50. Let him not go near a house frequented by hermits, or priests, or birds, or dogs, or other beggars.

51. His hair, nails, and beard being clipped, bearing with him a dish, a staff, and a water-pot, his whole mind being fixed on God, let him wander about continually, without giving pain to animal or vegetable beings.

52. His dishes must have no fracture, nor must they be made of bright metals : the purification ordained for them must be with water alone, like that of the vessels for a sacrifice.

53. A gourd, a wooden bowl, an earthen dish, or a basket made of reeds, has Menu, son of the Self-existing, declared fit vessels to receive the food of Brahmins devoted to God.

54. Only once a day let him demand food ; let him not habituate him to eat much at a time ; for an anchorite, habituated to eat much, becomes inclined to sensual gratifications.

55. At the time when the smoke of kitchen fires has ceased, when the pestle lies motionless, when the burning charcoal is extinguished, when people have eaten, and when dishes are removed, that is, late in the day, let the Sannyásí always beg food.

56. For missing it, let him not be sorrowful ; nor for gaining it, let him be glad ; let him care only for a sufficiency to support life, but let him not be anxious about his utensils.

57. Let him constantly disdain to receive food after humble reverence ; since, by receiving it in consequence of an humble salutation, a Sannyásí, though free, becomes a captive.

58. By eating little and by sitting in solitary places, let him restrain those organs, which are naturally hurried away by sensual desires.

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59. By the coercion of his members, by the absence of hate and affection, and by giving no pain to sentient creatures, he becomes fit for immortality.

60. Let him reflect on the transmigrations of men caused by their sinful deeds, on their downfall into a region of darkness, and their torments in the mansion of Yama ;

61. On their separation from those, whom they love, and their union with those, whom they hate ; on their strength overpowered by old age, and their bodies racked with disease ;

62. On their agonizing departure from this corporeal frame, their formation again in the womb, and the glidings of this vital spirit through ten thousand millions of uterine passages ;

63. On the misery attached to embodied spirits from a violation of their duties, and the unperishable bliss attached to them from their abundant performance of all duties, religious and civil.

64. Let him reflect also, with exclusive application of mind, on the subtle indivisible essence of the Supreme Spirit, and its complete existence in all beings, whether extremely high or extremely low.

65. Equal-minded towards all creatures, in what order soever he may have been placed, let him fully discharge his duty, though he bear not the visible marks of his order : the visible mark, or mere name, of his order, is by no means an effective discharge of his duty ;

66. As, although the fruit of the tree cataca purify water, yet a man can not purify water by merely pronouncing the name of that fruit : he must throw it, when pounded, into the jar.

67. For the sake of preserving minute animals by night and by day, let him walk, though with pain to his own body, perpetually looking on the ground.

68. Let a Sannyásí, by way of expiation for the death of those creatures, which he may have destroyed unknowingly by day or by night, make six suppressions of his breath, having duly bathed :

69. Even three suppressions of breath, made according to the divine rule, accompanied with the triverbal phrase (bhur bhuvah swah) and the triliteral syllable (óm), may be considered as the highest devotion of a Brahmin ;

70. For as the dross and impurities of metallic ores are consumed

by fire, thus are the sinful acts of the human organs consumed by suppressions of the breath, while the mystic words, and the measures of the gáyatrí are revolved in the mind.

71. Let him thus, by such suppressions of breath, burn away his offences ; by reflecting intensely on the steps of ascent to beatitude, let him destroy sin ; by coercing his members, let him restrain all sensual attachments ; by meditating on the intimate union of his own soul and the divine essence, let him extinguish all qualities repugnant to the nature of God.

72. Let him observe, with extreme application of mind, the progress of this internal spirit through various bodies, high and low ; a progress hard to be discerned by men with unimproved intellects.

73. He, who fully understands the perpetual omnipresence of God, can be led no more captive by criminal acts ; but he, who possesses not that sublime knowledge, shall wander again through the world.

74. By injuring nothing animated, by subduing all sensual habits, by devout rites ordained in the Sruti, and by rigorous mortifications, men obtain, even in this life, the state of beatitude.

75. A mansion with bones for its rafters and beams ; with nerves and tendons, for cords ; with muscles and blood, for mortar ; with skin, for its outward covering ; filled with no sweet perfume, but loaded with feces and urine ;

76. A mansion infested by age and by sorrow, the seat of malady, harassed with pains, haunted with the quality of darkness, and incapable of standing long ; such a mansion of the vital soul let its occupier always cheerfully quit :

77. As a tree leaves the bank of a river, when it falls in, or as a bird leaves the branch of a tree at his pleasure, thus he, who leaves his body by necessity or by legal choice, is delivered from the ravening shark, or crocodile, of the world : thus also he may attain, through devout meditation, the Eternal Spirit.

78. When, having well considered the nature and consequence of sin, he becomes averse from all sensual delights, he then attains bliss in this world ; bliss, which shall endure after death.

79. Thus having gradually abandoned all earthly attachments, and indifferent to all pairs of opposite things, as honour and dis-

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honour, and the like, he remains absorbed in the Divine Essence.

80. All, that has now been declared, is obtained by pious meditation ; but no man, who is ignorant of the Supreme Spirit, can gather the fruit of mere ceremonial acts.

81. Let him constantly study that part of the Veda, which relates to sacrifice ; that, which treats of subordinate deities ; that, which reveals the nature of the Supreme God ; and whatever is declared in the Upanishads.

82. This holy scripture is a sure refuge even for those, who understand not its meaning, and of course for those, who understand it ; this Veda is a sure resource for those, who seek bliss above ; this is a sure resource for those, who seek bliss eternal.

83. That Brahmin, who becomes a Sannyásí by this discipline, announced in due order, shakes off sin here below, and reaches the Most High.

84. This general law has been revealed to you for anchorites with subdued minds : now learn the particular discipline of those who become recluses according to the Veda, that is, of anchorites in the first of the four degrees.

85. The student, the married man, the hermit, and the anchorite, are the offspring, though in four orders, of married men keeping house ;

86. And all, or even any, of those orders, assumed in their turn, according to the sacred ordinances, lead the Brahmin, who acts by the preceding rules, to the highest mansion :

87. But of all those, the housekeeper, observing the regulations of the Sruti and Smriti, may be called the chief ; since he supports the three other orders.

88. As all rivers, female and male, run to their determined place in the sea, thus men of all other orders, repair to their fixed place in the mansion of the life to come.

89. By Brahmins, a tenfold system of duties must ever be sedulously practised :

90. Content, returning good for evil, resistance to sensual appetites, abstinence from illicit gain, purification, coercion of the organs, knowledge of scripture, knowledge of the Supreme Spirit, veracity, and freedom from wrath, form their tenfold system of duties.

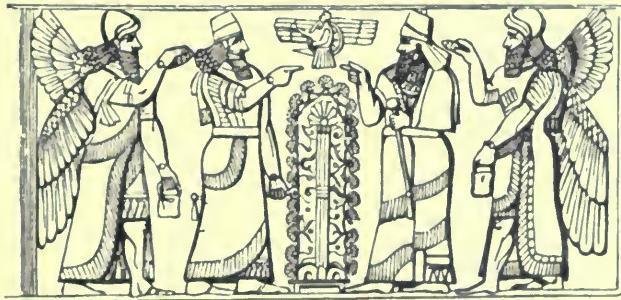
91. Such Brahmins, as attentively read the ten precepts of duty, and after reading, carefully practise them, attain the most exalted condition.

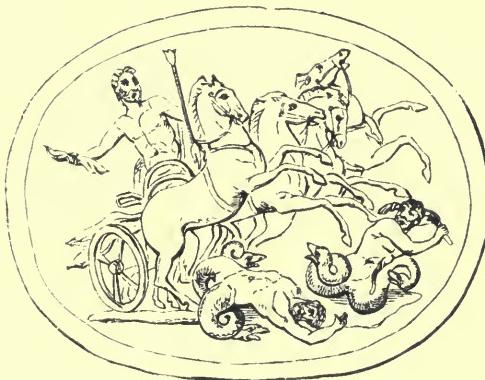
92. A Brahmin having practised, with organs under command, this tenfold system of duty, having heard the Upanishads explained, as the law directs, and who has discharged his three debts, may become an anchorite, in the house of his son, according to the Veda ;

93. And, having abandoned all ceremonial acts, having expiated all his offences, having obtained a command over his organs, and having perfectly understood the scripture, he may live at his ease, while the household affairs are conducted by his son.

94. When he thus has relinquished all forms, is intent on his own occupation, and free from every other desire, when, by devoting himself to God, he has effaced sin, he then attains the supreme path of glory.

95. This fourfold regulation for the sacerdotal class, has thus been made known to you ; a just regulation, producing endless fruit after death : next, learn the duty of kings, or the military class.





CHAPTER VII.

On Government, and Public Law ; or on the Military Class.

1. I WILL fully declare the duty of kings ; and show how a ruler of men should conduct himself, in what manner he was framed, and how his ultimate reward may be attained by him.
2. By a man of the military class, who has received in due form the investiture which the Veda prescribes, great care must be used to maintain the whole assemblage of laws.
3. Since, if the world had no king, it would quake on all sides through fear, the ruler of this universe, therefore, created a king, for the maintenance of this system, both religious and civil,
4. Forming him of eternal particles drawn from the substance of Indra, Pavana, Yama, Surya, of Agni and Varuna, of Chandra and Cuvera :
5. And since a king was composed of particles drawn from those chief guardian deities, he consequently surpasses all mortals in glory.
6. Like the sun, he burns eyes and hearts ; nor can any human

creature on earth even gaze on him.

7. He is fire and air ; he, both sun and moon ; he, the god of criminal justice ; he, the genius of wealth ; he, the regent of waters ; he, the lord of the firmament.

8. A king, even though a child, must not be treated lightly.

9. Fire burns only one person, who carelessly goes too near it ; but the fire of a king in wrath burns a whole family, with all their cattle and goods.

10. Fully considering the business before him, his own force, and the place, and the time, he assumes in succession all sorts of forms, for the sake of advancing justice.

11. He, sure, must be the perfect essence of majesty, by whose favour Abundance rises on her lotos, in whose valour dwells conquest ; in whose anger, death.

12. He, who shows hatred of the king, through delusion of mind, will certainly perish ; for speedily will the king apply his heart to that man's perdition.

13. Let the king prepare a just compensation for the good, and a just punishment for the bad : the rule of strict justice let him never transgress.

14. For his use Brahma formed in the beginning of time the genius of punishment, with a body of pure light, his own son, even abstract criminal justice, the protector of all created things.

15. Through fear of that genius, all sentient beings, whether fixed or locomotive, are fitted for natural enjoyments and swerve not from duty.

16. When the king, therefore, has fully considered place and time, and his own strength, and the divine ordinance, let him justly inflict punishment on all those, who act unjustly.

17. Punishment is an active ruler ; he is the true manager of public affairs ; he is the dispenser of laws ; and wise men call him the sponsor of all orders for the discharge of their several duties.

18. Punishment governs all mankind ; punishment alone preserves them : punishment wakes, while their guards are asleep ; the wise consider punishment as the perfection of justice.

19. When rightly and considerately inflicted, it makes all the people happy ; but, inflicted without full consideration, it wholly

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destroys them all.

20. If the king were not, without indolence, to punish the guilty, the stronger would oppress the weaker, like fish in their element ; ownership would remain with none ; the lowest would overset the highest.

21. The whole race of men is kept in order by punishment ; for a guiltless man is hard to be found : through fear of punishment, indeed, this universe is enabled to enjoy its blessings ;

22. Deities and demons, heavenly songsters and cruel giants, birds and serpents, are made capable, by just correction, of their several enjoyments.

23. All classes would become corrupt ; all barriers would be destroyed, there would be total confusion among men, if punishment either were not inflicted, or were inflicted unduly :

24. But where punishment, with a black hue and a red eye, advances to destroy sin, there, if the judge discern well, the people are undisturbed.

25. Holy sages consider as a fit dispenser of criminal justice, that king, who invariably speaks truth, who duly considers all cases, who understands the sacred books, who knows the distinctions of virtue, pleasure, and riches ;

26. Such a king, if he justly inflict legal punishments, greatly increases those three means of happiness ; but punishment itself shall destroy a king, who is crafty, voluptuous, and wrathful :

27. Criminal justice, the bright essence of majesty, and hard to be supported by men with unimproved minds, eradicates a king, who swerves from his duty, together with all his race :

28. Punishment shall overtake his castles, his territories, his peopled land, with all fixed and moveable things, that exist on it.

29. Just punishment can not be inflicted by an ignorant and covetous king, who has no wise and virtuous assistant, whose understanding has not been improved, and whose heart is addicted to sensuality :

30. By a king, wholly pure, faithful to his promise, observant of the scriptures, with good assistants and sound understanding, may punishment be justly inflicted.

31. Let him in his own domains act with justice, chastise foreign

foes with rigour, behave without duplicity to his affectionate friends.

32. Of a king thus disposed, even though he subsist by gleanings, or, be his treasure ever so small, the fame is far spread in the world, like a drop of oil in water;

33. But of a king with a contrary disposition, with passions un-subdued, be his riches ever so great, the fame is contracted in the world, like clarified butter in the same element.

34. A king was created as the protector of all those classes and orders, who, from the first to the last, discharge their several duties;

35. And all, that must be done by him, for the protection of his people, with the assistance of good ministers, I will declare to you, as the law directs, in due order.

36. Let the king, having risen at early dawn, apply himself to the Brahmins, learned in the three Vedas, and in the science of ethics; and by their decision let him abide.

37. Constantly must he show respect to Brahmins, who have grown old, both in years and in piety, who know the scriptures, who in body and mind are pure; for he, who honours the aged, will perpetually be honoured even by cruel demons:

38. From them, though he may have acquired modest behaviour by his own good sense and by study, let him continually learn habits of modesty and composure; since a king, whose demeanour is humble and composed, never perishes.

39. While, through want of such humble virtue, many kings have perished with all their possessions, and, through virtue united with modesty, even hermits have obtained kingdoms.

40. Through want of that virtuous humility Vena was utterly ruined, and so was the great king Nahusha, and Sudasa, and Yavana, (or, by a different reading, and Sudaman, the son of Piyavaya) and Sumac'ha, and Nimi;

41. But, by virtues with humble behaviour, and doctrine comprised in the scriptures, together with the primeval science of criminal justice and sound policy, the system of logic and metaphysics, and sublime theological truth: from the people he must learn the theory of agriculture, commerce, and other practical arts.

42. Day and night must he strenuously exert himself to gain complete victory over his own organs; since that king alone, whose

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organs are completely subdued, can keep his people firm to their duty.

43. With extreme care let him shun eighteen vices, ten proceeding from love of pleasure, eight springing from wrath, and all ending in misery ;

44. Since a king, addicted to vices arising from love of pleasure, must lose both his wealth and his virtue, and, addicted to vices arising from anger, he may lose even his life from the public resentment.

45. Hunting, gaming, sleeping by day, censuring rivals, excess with women, intoxication, singing, instrumental music, dancing, and useless travel, are the tenfold set of vices produced by love of pleasure :

46. Talebearing, violence, insidious wounding, envy, detraction, unjust seizure of property, reviling, and open assault are in like manner the eightfold set of vices, to which anger gives birth.

47. A selfish inclination, which all wise men know to be the root of those two sets, let him suppress with diligence : both sets of vices are constantly produced by it.

48. Drinking, dice, women, and hunting, let him consider as the four most pernicious in the set, which love of pleasure occasions :

49. Battery, defamation, and injury to property, let him always consider as the three most heinous in the set, which arises from wrath ;

50. And in this sevenfold assemblage of vices, too frequently prevailing in all kingdoms, let an enlightened prince consider the first, and so forth in order, as the most abominable in each set.

51. On a comparison between death and vice, the learned pronounce vice the more dreadful ; since, after death, a vicious man sinks to regions lower and lower, while a man, free from vice, reaches heaven.

52. The king must appoint seven or eight ministers, who must be sworn ; men, whose ancestors were servants of kings ; who are versed in the holy books ; who are personally brave ; who are skilled in the use of weapons ; and whose lineage is noble : he must not place a blind man where eyes are needed.

53. Even an act easy in itself is hard sometimes to be performed

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by a single man, especially if he have no assistant near : how much harder must it be to perform alone the business of a kingdom with great revenues !

54. Let him perpetually consult with those ministers on peace and war, on his forces, on his revenues, on the protection of his people, and on the means of bestowing aptly the wealth which he has acquired :

55. Having ascertained the several opinions of his counsellors, first apart and then collectively, let him do what is most beneficial for him in public affairs.

56. To one learned Brahmin, distinguished among them all, let the king impart his momentous counsel, relating to six principal articles.

57. To him, with full confidence, let him intrust all transactions ; and with him, having taken his final resolution, let him begin all his measures.

58. He must likewise appoint other officers ; men of integrity, well informed, steady, habituated to gain wealth, by honourable means, and tried by experience.

59. As many officers as the due performance of his business requires, not slothful men, but active, able, and well instructed, so many, and no more, let him appoint.

60. Among those let him employ the brave, the skilful, the well-born, and the honest, in his mines of gold or gems, and in other similar works ; but the pusillanimous, in the recesses of his palace.

61. Let him likewise appoint an ambassador versed in all the scriptures, who understands hints, external signs, and actions, whose hand and heart are pure, whose abilities are great, and whose birth was illustrious :

62. That royal ambassador is applauded most, who is generally beloved, pure within and without, dexterous in business, and endued with an excellent memory ; who knows countries and times, is handsome, intrepid, and eloquent.

63. The forces of the realm must be immediately regulated by the commander-in-chief ; the actual infliction of punishment, by the officers of criminal justice ; the treasury and the country, by the king himself ; peace and war, by the ambassador ;

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64. For it is the ambassador alone who unites, who alone disjoins the united ; that is, he transacts the business, by which kingdoms are at variance or in amity.

65. In the transaction of affairs let the ambassador comprehend the visible signs and hints, and discover the acts, of the foreign king, by the signs, hints, and acts of his confidential servants, and the measures, which that king wishes to take, by the character and conduct of his ministers.

66. Thus, having learned completely from his ambassador all the designs of the foreign prince, let the king so apply his vigilant care, that he bring no evil on himself.

67. Let him fix his abode in a district containing open champaigns ; abounding with grain ; inhabited chiefly by the virtuous ; not infected with maladies ; beautiful to the sight ; surrounded by mountaineers, foresters, or other neighbours ; a country, in which the subjects may live at ease.

68. There let him reside in a capital, having, by way of a fortress, a desert rather more than twenty miles round it, or a fortress of earth, a fortress of water, or of trees, a fortress of armed men, or a fortress of mountains.

69. With all possible care let him secure a fortress of mountains ; for, among those just mentioned, a fortress of mountains has many transcendent properties.

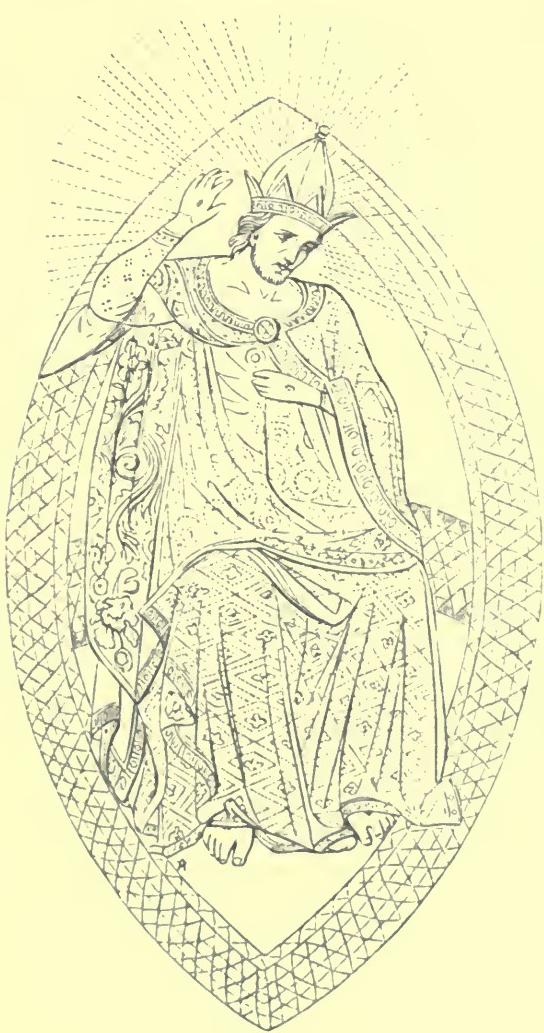
70. In the three first of them live wild beasts, vermin, and aquatic animals ; in the three last, apes, men, and gods, in order as they are named :

71. As enemies hurt them not in the shelter of their several abodes, thus foes hurt not a king, who has taken refuge in his durga, or place of difficult access.

72. One Bowman, placed on a wall, is a match in war for a hundred enemies ; and a hundred, for ten thousand ; therefore is a fort recommended.

73. Let that fort be supplied with weapons, with money, with grain, with beasts, with artificers, with engines, with grass, and with water.

74. In the centre of it let him raise his own palace, well finished in all its parts, completely defended, habitable in every season,



brilliant with white stucco, surrounded with water and trees :

75. Having prepared it for his mansion, let him choose a consort of the same class with himself, endued with all the bodily marks of excellence, born of an exalted race, captivating his heart, adorned with beauty and the best qualities.

76. He must appoint also a domestic priest, who may solemnize the religious rites of his family.

77. Let the king make sacrifices, accompanied with gifts of many different kinds ; and, for the full discharge of his duty, let him give the Brahmins both legal enjoyments and moderate wealth.

78. His annual revenue he may receive from his whole dominion through his collectors ; but let him in this world observe the divine ordinances ; let him act as a father to his people.

79. Here and there he must appoint many sorts of intelligent supervisors, who may inspect all the acts of the officers engaged in his business.

80. To Brahmins returned from the mansions of their preceptors, let him show due respect ; for that is called a precious unperishable gem, deposited by kings with the sacerdotal class :

81. It is a gem, which neither thieves or foes take away ; which never perishes : kings must, therefore, deposit with Brahmins that indestructible jewel of respectful presents.

82. An oblation in the mouth, or hand, of a Brahmin, is far better than offerings to holy fire : it never drops ; it never dries ; it is never consumed.

83. A gift, to one not a Brahmin, produces fruit of a middle standard : to one who calls himself a Brahmin, double ; to a well-read Brahmin, a hundred thousand-fold ; to one who has read all the Vedas, infinite.

84. Of a gift made with faith in the Sastra, to a person highly deserving it, the giver shall indubitably gain the fruit after death, be the present small or great.

85. A king, while he protects his people, being defied by an enemy of equal, greater, or less force, must by no means turn his face from battle, but must remember the duty of his military class :

86. Never to recede from combat, to protect the people, and to honour the learned, is the highest duty of kings and insures

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their felicity.

87. Those rulers of the earth, who, desirous of defeating each other, exert their utmost strength in battle, without ever averting their faces, ascend after death directly to heaven.

88. Let no man, engaged in combat, smite his foe with sharp weapons concealed in wood, nor with arrows mischievously barbed, nor with poisoned arrows, nor with darts blazing with fire ;

89. Nor let him in a car or on horseback strike his enemy alighted on the ground ; nor an effeminate man ; nor one, who sues for life with closed palms ; nor one, whose hair is loose and obstructs his sight ; nor one, who sits down fatigued ; nor one, who says, "I am thy captive ;"

90. Nor one, who sleeps ; nor one, who has lost his coat of mail ; nor one, who is naked ; nor one, who is disarmed ; nor one, who is a spectator, but not a combatant ; nor one, who is fighting with another man :

91. Calling to mind the duty of honourable men, let him never slay one, who has broken his weapon ; nor one, who is afflicted with private sorrow ; nor one, who has been grievously wounded ; nor one, who is terrified ; nor one, who turns his back.

92. The soldier, indeed, who, fearing and turning his back, happens to be slain by his foes in an engagement, deserves to take upon himself all the sin of his commander, whatever it be ;

93. And the commander deserves to take to himself the fruit of all the good conduct, which the soldier, who turns his back and is killed, had previously stored up for a future life.

94. Cars, horses, elephants, umbrellas, habiliments, except the jewels which may adorn them, grain, cattle, women, all sorts of liquids and metals, except gold and silver, are the lawful prizes of the man who takes them in war ;

95. But of those prizes, the captors must lay the most valuable before the king ; such is the rule in the Sruti concerning them ; and the king should distribute among the whole army what has not been separately taken.

96. Thus has been declared the blameless primeval law for military men ; from this law a king must never depart, when he attacks his foes in battle.

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97. What he has not gained from his foe, let him strive to gain ; what he has acquired, let him preserve with care ; what he preserves, let him augment ; and what he has augmented, let him bestow on the deserving.

98. This is the fourfold rule, which he must consider as the sure means of attaining the great object of man, happiness ; and let him practise it fully without intermission, without indolence :

99. What he has not gained, let him strive to gain by military strength ; what he has acquired, let him preserve by careful inspection ; what he has preserved, let him augment by legal modes of increase ; and what he has augmented, let him dispense with just liberality.

100. Let his troops be constantly exercised ; his prowess, constantly displayed ; what he ought to secure, constantly secured ; and the weakness of his foe, constantly investigated.

101. By a king, whose forces are always ready for action, the whole world may be kept in awe ; let him then, by a force always ready, make all creatures living his own.

102. Let him act on all occasions without guile, and never with insincerity ; but, keeping himself ever on his guard, let him discover the fraud intended by his foe.

103. Let not his enemy discern his vulnerable part, but the vulnerable part of his enemy let him well discern : like a tortoise, let him draw in his members under the shell of concealment, and diligently let him repair any breach that may be made in it.

104. Like a heron, let him muse on gaining advantages ; like a lion, let him put forth his strength ; like a wolf, let him creep towards his prey ; like a hare, let him double to secure his retreat.

105. When he thus has prepared himself for conquest, let him reduce all opposers to submission by negotiation and three other expedients, namely, presents, division, and force of arms :

106. If they can not be restrained by the three first methods, then let him, firmly but gradually, bring them to subjection by military force.

107. Among those four modes of obtaining success, the wise prefer negotiation and war for the exaltation of kingdoms.

108. As a husbandman plucks up weeds and preserves his corn,

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thus let a king destroy his opponents and secure his people.

109. That king, who, through weakness of intellect, rashly oppresses his people, will, together with his family, be deprived both of kingdom and life :

110. As, by the loss of bodily sustenance, the lives of animated beings are destroyed, thus, by the distress of kingdoms, are destroyed even the lives of kings.

111. For the sake of protecting his dominions, let the king perpetually observe the following rules ; for, by protecting his dominions, he will increase his own happiness.

112. Let him place, as the protectors of his realm, a company of guards, commanded by an approved officer, over two, three, five, or a hundred districts, according to their extent.

113. Let him appoint a lord of one town with its district, a lord of ten towns, a lord of twenty, a lord of a hundred, and a lord of a thousand.

114. Let the lord of one town certify of his own accord to the lord of ten towns any robberies, tumults, or other evils, which arise in his district, and which he can not suppress ; and the lord of ten, to the lord of twenty :

115. Then let the lord of twenty towns notify them to the lord of a hundred ; and let the lord of a hundred transmit the information himself to the lord of a thousand townships.

116. Such food, drink, wood, and other articles, as by law should be given each day to the king by the inhabitants of the township, let the lord of one town receive as his perquisite :

117. Let the lord of ten towns enjoy the produce of two plough-lands, or as much ground as can be tilled with two ploughs, each drawn by six bulls ; the lord of twenty, that of ten plough-lands ; the lord of a hundred, that of a village or small town ; the lord of a thousand, that of a large town.

118. The affairs of those townships, either jointly or separately transacted, let another minister of the king inspect ; who should be well affected, and by no means remiss.

119. In every large town or city, let him appoint one superintendent of all affairs, elevated in rank, formidable in power, distinguished as a planet among stars :

120. Let that governor from time to time survey all the rest in person, and, by means of his emissaries, let him perfectly know their conduct in their several districts.

121. Since the servants of the king, whom he has appointed guardians of districts, are generally knaves, who seize what belongs to other men, from such knaves let him defend his people :

122. Of such evil-minded servants, as wring wealth from subjects attending them on business, let the king confiscate all the possessions, and banish them from his realm.

123. For women, employed in the service of the king, and for his whole set of menial servants, let him daily provide a maintenance, in proportion to their station and to their work :

124. One pana of copper must be given each day as wages to the lowest servant, with two cloths for apparel every half-year, and a drona of grain every month ; to the highest must be given wages in the ratio of six to one.

125. Having ascertained the rates of purchase and sale, the length of the way, the expenses of food and of condiments, the charges of securing the goods carried, and the net profits of trade, let the king oblige traders to pay taxes on their salable commodities.

126. After full consideration, let a king so levy those taxes continually in his dominions, that both he and the merchant may receive a just compensation for their several acts.

127. As the leech, the suckling calf, and the bee, take their natural food by little and little, thus must a king draw from his dominions an annual revenue.

128. Of cattle, of gems, of gold and silver, added each year to the capital stock, a fiftieth part may be taken by the king ; of grain, an eighth part, a sixth, or a twelfth, according to the difference of the soil, and the labour necessary to cultivate it.

129. He may also take a sixth part of the clear annual increase of trees, flesh-meat, honey, clarified butter, perfumes, medical substances, liquids, flowers, roots, and fruit,

130. Of gathered leaves, pot-herbs, grass, utensils made with leather or cane, earthen pots, and all things made of stone.

131. A king, even though dying with want, must not receive any tax from a Brahmin learned in the Vedas, nor suffer such a

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Brahmin, residing in his territories, to be afflicted with hunger.

132. Of that king, in whose dominion a learned man is afflicted with hunger, the whole kingdom will in a short time be afflicted with famine.

133. The king, having ascertained his knowledge of scripture and good morals, must allot him a suitable maintenance, and protect him on all sides, as a father protects his own son :

134. By that religious duty, which such a man performs each day, under the full protection of the sovereign, the life, wealth, and dominions of his protector shall be greatly increased.

135. Let the king order a mere trifle to be paid, in the name of the annual tax, by the meaner inhabitants of his realm, who subsist by petty traffic :

136. By low handicraftsmen, artificers, and servile men, who support themselves by labour, the king may cause work to be done for a day in each month.

137. Let him not cut up his own root by taking no revenue, nor the root of other men by excess of covetousness ; for, by cutting up his own root and theirs, he makes both himself and them wretched.

138. Let him, considering the diversity of cases, be occasionally sharp and occasionally mild, since a king, duly sharp and mild, becomes universally approved.

139. When tired of overlooking the affairs of men, let him assign the station of such an inspector to a principal minister, who well knows his duty, who is eminently learned, whose passions are subdued, and whose birth is exalted.

140. Thus must he protect his people, discharging, with great exertion and without languor, all those duties, which the law requires him to perform.

141. That monarch, whose subjects are carried from his kingdom by ruffians, while they call aloud for protection, and he barely looks on them with his ministers, is a dead, and not a living king.

142. The highest duty of a military man is the defence of his people, and the king who receives the consideration just mentioned, is bound to discharge that duty.

143. Having risen in the last watch of the night, his body being pure, and his mind attentive, let him enter his hall decently

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splendid :

144. Standing there, let him gratify his subjects, before he dismiss them, with kind looks and words ; and, having dismissed them all, let him take secret counsel with his principal ministers :

145. Ascending up the back of a mountain, or going privately to a terrace, a bower, a forest, or a lonely place, without listeners, let him consult with them unobserved.

146. That prince, of whose weighty secrets all assemblies of men are ignorant, shall attain dominion over the whole earth, though at first he possess no treasure.

147. At the time of consultation, let him remove the stupid, the dumb, the blind, and the deaf, talking birds, decrepit old men, women, and infidels, the diseased and the maimed ;

148. Since those, who are disgraced in this life by reason of sins formerly committed, are apt to betray secret counsel ; so are talking birds ; and so above all are women : them he must, for that reason, diligently remove.

149. At noon or at midnight, when his fatigues have ceased, and his cares are dispersed, let him deliberate, with those ministers or alone, on virtue, lawful pleasure, and wealth ;

150. On the means of reconciling the acquisition of them, when they oppose each other ; on bestowing his daughters in marriage, and on preserving his sons from evil by the best education ;

151. On sending ambassadors and messengers ; on the probable events of his measures ; on the behaviour of his women in the private apartment ; and on the acts even of his own emissaries.

152. On the whole eightfold business of kings, relating to the revenue, to their expenses, to the good or bad conduct of their ministers, to legislation in dubious cases, to civil and criminal justice, and to expiations for crimes, let him reflect with the greatest attention ; on his five sorts of spies, or active and artful youths, degraded anchorets, distressed husbandmen, decayed merchants, and fictitious penitents, whom he must pay and see privately ; on the good will or enmity of his neighbours, and on the state of the circumjacent countries.

153. On the conduct of that foreign prince, who has moderate strength equal to one ordinary foe, but no match for two ; on the

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designs of him, who is willing and able to be a conqueror ; on the condition of him, who is pacific, but a match even for the former unallied ; and on that of his natural enemy, let him sedulously meditate :

154. Those four powers, who, in one word, are the root or principal strength of the countries round him, added to eight others, who are called the branches, and are as many degrees of allies and opponents variously distinguished, are declared to be twelve chief objects of the royal consideration ;

155. And five other heads, namely, their ministers, their territories, their strong-holds, their treasuries, and their armies, being applied to each of those twelve, there are in all, together with them, seventy-two foreign objects to be carefully investigated.

156. Let the king consider as hostile to him, the power immediately beyond him, and the favourer of that power ; as amicable, the power next beyond his natural foe ; and as neutral, the powers beyond that circle :

157. All those powers let him render subservient to his interest by mild measures and the other three expedients before mentioned, either separate or united, but principally by valour and policy in arms and negotiation.

158. Let him constantly deliberate on the six measures of a military prince, namely, waging war, and making peace or alliance, marching to battle, and sitting encamped, distributing his forces, and seeking the protection of a more powerful monarch :

159. Having considered the posture of affairs, let him occasionally apply to it the measure of sitting inactive, or of marching to action, of peace, or of war, of dividing his force, or of seeking protection.

160. A king must know, that there are two sorts of alliance and war ; two, of remaining encamped, and of marching ; two, likewise, of dividing his army, and two of obtaining protection from another power.

161. The two sorts of alliance, attended with present and future advantages, are held to be those, when he acts in conjunction with his ally, and when he acts apart from him.

162. War is declared to be of two sorts ; when it is waged for

an injury to himself, and when it is waged for an injury to his ally, with a view to harass the enemy both in season and out of season.

163. Marching is of two sorts, when destructive acts are done at his own pleasure by himself apart, or when his ally attends him.

164. The two sorts of sitting encamped are, first, when he has been gradually weakened by the Divine Power, or by the operation of past sins, and, secondly, when, to favour his ally, he remains in his camp.

165. A detachment commanded by the king in person, and a detachment commanded by a general officer, for the purpose of carrying some important point, are declared by those, who well know the six measures, to be the two modes of dividing his army.

166. The two modes of seeking protection, that his powerful support may be proclaimed in all countries, are, first, when he wishes to be secure from apprehended injury, and, next, when his enemies actually assail him.

167. When the king knows with certainty, that at some future time his force will be greatly augmented, and when, at the time present, he sustains little injury, let him then have recourse to peaceful measures ;

168. But, when he sees all his subjects considerably firm in strength, and feels himself highly exalted in power, let him protect his dominions by war.

169. When he perfectly knows his own troops to be cheerful and well supplied, and those of his enemy quite the reverse, let him eagerly march against his foes ;

170. But, when he finds himself weak in beasts of burden and in troops, let him then sit quiet in camp, using great attention, and pacifying his enemy by degrees.

171. When a king sees his foes stronger in all respects than himself, let him detach a part of his army, to keep the enemy amused, and secure his own safety in an inaccessible place ;

172. But, when he is in all places assailable by the hostile troops, let him speedily seek the protection of a just and powerful monarch.

173. Him, who can keep in subjection both his own subjects and his foes, let him constantly soothe by all sorts of attentive

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respect, as he would honour his father, natural or spiritual :

174. But if, even in that situation, he find such protection a cause of evil, let him alone, though weak, wage vigorous war without fear.

175. By all these expedients let a politic prince act with such wisdom, that neither allies, neutral powers, nor foes, may gain over him any great advantage.

176. Perfectly let him consider the state of his kingdom, both actually present and probably future, with the good and bad parts of all his actions :

177. That king shall never be overcome by his enemies, who foresees the good and evil to ensue from his measures ; who, on present occasions, takes his resolution with prudent speed, and who weighs the various events of his past conduct.

178. Let him so arrange all his affairs, that no ally, neutral prince, or enemy, may obtain any advantage over him : this, in a few words, is the sum of political wisdom.

179. When the king begins his march against the domains of his foe, let him gradually advance, in the following manner, against the hostile metropolis.

180. Let him set out on his expedition in the fine month Márga-sírsha, or about the month of Phálguna and Chaitra, according to the number of his forces, that he may find autumnal or vernal crops in the country invaded by him :

181. Even in other seasons, when he has a clear prospect of victory, and when any disaster has befallen his foe, let him advance with the greater part of his army.

182. Having made a due arrangement of affairs in his own dominions, and a disposition fit for his enterprise, having provided all things necessary for his continuance in the foreign realm, and having seen all his spies dispatched with propriety,

183. Having secured the three sorts of ways, over water, on plains, and through forests, and placed his sixfold army, elephants, cavalry, cars, infantry, officers, and attendants, in complete military form, let him proceed by fit journeys toward the metropolis of his enemy :

184. Let him be much on his guard against every secret friend

in the service of the hostile prince, and against emissaries, who go and return; for in such friends he may find very dangerous foes.

185. On his march let him form his troops, either like a staff, or in an even column; like a wain, or in a wedge with the apex foremost; like a boar, or in a rhomb with the van and rear narrow and the centre broad; like a Macara or sea-monster, that is, in a double triangle with apices joined; like a needle, or in a long line; or like the bird of Vishnu, that is, in a rhomboid with the wings far extended:

186. From whatever side he apprehends danger, to that side let him extend his troops; and let him always conceal himself in the midst of a squadron formed like a lotos-flower.

187. Let him cause his generals and the chief commander under himself, to act in all quarters; and from whatever side he perceives a design of attacking him, to that side let him turn his front.

188. On all sides let him station troops of soldiers, in whom he confides, distinguished by known colours and other marks; who are excellent both in sustaining a charge and in charging, who are fearless and incapable of desertion.

189. Let him at his pleasure order a few men to engage in a close phalanx, or a large number of warriors in loose ranks; and, having formed them in a long line like a needle, or in three divisions like a thunder-bolt, let him give orders for battle.

190. On a plain, let him fight with his armed cars and horses; on watery places, with manned boats and elephants; on ground full of trees and shrubs, with bows; on cleared ground, with swords and targets, and other weapons.

191. Men born in Curucshétra, near Indraprest'ha, in Matsya, or Viráta, in Panchálá, or Cányacubja, and in Súraséna, in the district of Mat'hurà, let him cause to engage in the van; and men, born in other countries, who are tall and light.

192. Let him, when he has formed his troops in array, encourage them with short animated speeches; and then, let him try them completely: let him know, likewise, how his men severally exert themselves, while they charge the foe.

193. If he block up his enemy, let him sit encamped, and lay waste the hostile country; let him continually spoil the grass,

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water, and wood of the adverse prince.

194. Pools, wells, and trenches let him destroy : let him harass the foe by day, and alarm him by night.

195. Let him secretly bring over to his party all such leaders as he can safely bring over ; let him be informed of all that his enemies are doing ; and, when a fortunate moment is offered by heaven, let him give battle, pushing on to conquest and abandoning fear :

196. Yet he should be more sedulous to reduce his enemy by negotiation, by well-applied gifts, and by creating divisions, using either all or some of those methods, than by hazarding at any time a decisive action,

197. Since victory or defeat are not surely foreseen on either side, when two armies engage in the field ; let the king then, if other expedients prevail, avoid a pitched battle :

198. But, should there be no means of applying the three before-mentioned expedients, let him, after due preparation, fight so valiantly, that his enemy may be totally routed.

199. Having conquered a country, let him respect the religion practised in it, and their virtuous priests ; let him also distribute largesses to the people, and cause a full exemption from terror to be loudly proclaimed.

200. When he has perfectly ascertained the conduct and intentions of all the vanquished, let him fix in that country a prince of the royal race, and give him precise instructions.

201. Let him establish the laws of the conquered nation as declared in their books ; and let him gratify the new prince with gems and other precious gifts.

202. The seizure of desirable property, though it cause hatred, and the donation of it, though it cause love, may be laudable or blamable on different occasions :

203. All this conduct of human affairs is considered as dependent on acts ascribed to the Deity, and on acts ascribed to men ; now the operations of the Deity can not be known by any intenseness of thought, but those of men may be clearly discovered.

204. Or the victor, considering an ally, territory, and wealth as the triple fruit of conquest, may form an alliance with the vanquished prince, and proceed in union with him, using diligent

circumspection.

205. He should pay due attention to the prince, who supported his cause, and to any other prince in the circumjacent region, who checked that supporter, so that, both from a well-wisher and from an opponent, he may secure the fruit of his expedition.

206. By gaining wealth and territory a king acquires not so great an increase of strength, as by obtaining a firm ally, who, though weak, may hereafter be powerful.

207. That ally, though feeble, is highly estimable, who knows the whole extent of his duties, who gratefully remembers benefits, whose people are satisfied, or, who has a gentle nature, who loves his friend, and perseveres in his good resolutions.

208. Him have the sages declared an enemy hard to be subdued, who is eminently learned, of a noble race, personally brave, dexterous in management, liberal, grateful, and firm.

209. Good-nature, knowledge of mankind, valour, benignity of heart, and incessant liberality, are the assemblage of virtues, which adorn a neutral prince, whose amity must be courted.

210. Even a salubrious and fertile country, where cattle continually increase, let a king abandon without hesitation for the sake of preserving himself :

211. Against misfortune, let him preserve his wealth ; at the expense of his wealth, let him preserve his wife ; but let him at all events preserve himself, even at the hazard of his wife and his riches.

212. A wise prince, who finds every sort of calamity rushing violently upon him, should have recourse to all just expedients, united or separate :

213. Let him consider the business to be expedited, the expedients collectively, and himself who must apply them ; and, taking refuge completely in those three, let him strenuously labour for his own prosperity.

214. Having consulted with his ministers, in the manner before prescribed, on all this mass of public affairs ; having used exercise becoming a warrior, and having bathed after it, let the king enter at noon his private apartment for the purpose of taking food.

215. There let him eat lawful aliment, prepared by servants

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attached to his person, who know the difference of times and are incapable of perfidy, after it has been proved innocent by certain experiments.

216. Together with all his food let him swallow such medical substances as resist venom ; and let him constantly wear with attention such gems, as are known to repel it.

217. Let his females, well tried and attentive, their dress and ornaments having been examined, lest some weapon should be concealed in them, do him humble service with fans, water, and perfumes :

218. Thus let him take diligent care, when he goes out in a carriage or on horseback, when he lies down to rest, when he sits, when he takes food, when he bathes, anoints his body with odorous essences, and puts on all his habiliments.

219. After eating, let him divert himself in the recesses of his palace ; and, having idled a reasonable time, let him again think of public affairs :

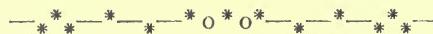
220. When he has dressed himself completely, let him once more review his armed men, with all their elephants, horses, and cars, their accoutrements, and weapons.

221. At sunset, having performed his religious duty, let him privately, but well armed, in his interior apartment, hear what has been done by his reporters and emissaries :

222. Then, having dismissed those informers, and returning to another secret chamber, let him go, attended, to the inmost recess of his mansion for the sake of his evening meal ;

223. There, having a second time eaten a little, and having been recreated with musical strains, let him take rest early, and rise refreshed from his labour.

224. This perfect system of rules let a king, free from illness, observe ; but, when really afflicted with disease, he may intrust all these affairs to his officers.





CHAPTER VIII.

On Judicature ; and on Law, Private and Criminal.

1. A KING, desirous of inspecting judicial proceedings, must enter his court of justice, composed and sedate in his demeanour, together with counsellors, who know how to give him advice :

2. There, either sitting or standing, holding forth his right arm, without ostentation in his dress and ornaments, let him examine the affairs of litigant parties.

3. Each day let him decide causes, one after another, under the eighteen principal titles of law, by arguments and rules drawn from local usages, and from written codes :

4. Of those titles, the first is debt, on loans for consumption ; the second, deposits, and loans for use ; the third, sale without

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ON JUDICATURE ; AND ON LAW,

ownership ; the fourth, concerns among partners ; the fifth, subtraction of what has been given ;

5. The sixth, non-payment of wages or hire ; the seventh, non-performance of agreements ; the eighth, rescission of sale and purchase ; the ninth, disputes between master and servant ;

6. The tenth, contests on boundaries ; the eleventh and twelfth, assault and slander ; the thirteenth, larceny ; the fourteenth, robbery and other violence ; the fifteenth, adultery ;

7. The sixteenth, altercation between man and wife, and their several duties ; the seventeenth, the law of inheritance ; the eighteenth, gaming with dice and with living creatures : these eighteen titles of law are settled as the ground-work of all judicial procedure in this world.

8. Among men, who contend for the most part on the titles just mentioned, and on a few miscellaneous heads not comprised under them, let the king decide causes justly, observing primeval law ;

9. But, when he can not inspect such affairs in person, let him appoint, for the inspection of them, a judge of eminent learning :

10. Let that chief judge, accompanied by three assessors, fully consider all causes brought before the king ; and, having entered the court-room, let him sit or stand, but not move backwards and forwards.

11. When justice, having been wounded by iniquity, approaches the court, and the judges extract not the dart, they also shall be wounded by it.

12. Either the court must not be entered by judges, parties, and witnesses, or law and truth must be openly declared : that man is criminal, who either says nothing, or says what is false or unjust.

13. Where justice is destroyed by iniquity, and truth by false evidence, the judges, who basely look on without giving redress, shall also be destroyed.

14. Justice being destroyed, will destroy ; being preserved, will preserve : it must never, therefore, be violated. "Beware, O judge, lest justice, being overturned, overturn both us and thyself."

15. The divine form of justice is represented as Vrisha, or a bull, and the gods consider him, who violates justice, as a Vrish-

ala, or one who slays a bull : let the king, therefore, and his judges beware of violating justice.

16. The only firm friend, who follows men even after death, is justice : all others are extinct with the body.

17. Of injustice in decisions, one quarter falls on the party in the cause ; one quarter, on his witnesses ; one quarter, on all the judges ; and one quarter on the king ;

18. But where he, who deserves condemnation, shall be condemned, the king is guiltless, and the judges free from blame : an evil deed shall recoil on him, who committed it.

19. A Brahmin supported only by his class, and one barely reputed a Brahmin, but without performing any sacerdotal acts, may, at the king's pleasure, interpret the law to him : so may the two middle classes ; but a Súdra, in no case whatever.

20. Of that king, who stupidly looks on, while an unfit man decides causes, the kingdom itself shall be embarrassed, like a cow in deep mire.

21. The whole territory, which is inhabited by a number of Súdras, overwhelmed with atheists, and deprived of Brahmans, must speedily perish afflicted with dearth and disease.

22. Let the king or his judge, having seated himself on the bench, his body properly clothed and his mind attentively fixed, begin with doing reverence to God, who guards the world ; and then let him enter on the trial of causes :

23. Understanding what is expedient or inexpedient, but considering only what is law or not law, let him examine all disputes between parties, in the order of their several classes.

24. By external signs let him see through the thoughts of men ; by their voice, colour, countenance, limbs, eyes, and action :

25. From the limbs, the look, the motion of the body, the gesticulation, the speech, the changes of the eye and the face, are discovered the internal workings of the mind.

26. The property of a student and of an infant, whether by descent or otherwise, let the king hold in his custody, until the owner shall have ended his studentship, or until his infancy shall have ceased in his sixteenth year.

27. Equal care must be taken of barren women, of women with-

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out sons, of women without kindred, or whose husbands are in distant places, of widows true to their lords, and of women afflicted with illness.

28. Such kinsmen, as, by any pretence, appropriate the fortunes of women during their lives, a just king must punish with the severity due to thieves.

29. Three years let the king detain the property of which no owner appears, after a distinct proclamation : the owner, appearing within the three years, may take it ; but, after that term, the king may confiscate it.

30. He, who says "This is mine," must be duly examined ; and if, before he inspect it, he declare its form, number, and other circumstances, the owner must have his property ;

31. But if he show not at what place and time it was lost, and specify not its colour, shape, and dimensions, he ought to be amerced :

32. The king may take a sixth part of the property so detained by him, or a tenth, or a twelfth, remembering the duty of good kings.

33. Property lost by one man, and found by another, let the king secure, by committing it to the care of trust-worthy men ; and those, whom he shall convict of stealing it, let him cause to be punished.

34. From the man, who shall say with truth, "This property, which has been kept, belongs to me," the king may take a twelfth part, for having secured it ;

35. But he, who shall say so falsely, may be fined either an eighth part of his own property, or else in some small proportion to the value of the goods falsely claimed, a just calculation having been made.

36. A learned Brahmin, having found a treasure formerly hidden, may take it without any deduction ; since he is the lord of all ;

37. Of a treasure anciently reposed under ground, which any subject has discovered, the king may lay up half in his treasury, having given half to the finder.

38. Of old hoards, and precious minerals in the earth, the king is entitled to half by reason of his general protection, and because he is the lord paramount of the soil.

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39. To men of all classes, the king must restore their property, which robbers have seized ; since a king, who takes it for himself, incurs the guilt of a robber.

40. A king, who knows the revealed law, must inquire into the particular laws of classes, the laws or usages of districts, the customs of traders, and the rules of certain families, and establish their peculiar laws, if they be not repugnant to the law of God ;

41. Since all men, who mind their own customary ways of proceeding, and are fixed in the discharge of their several duties, become united by affection with the people at large, even though they dwell far asunder.

42. Neither the king himself nor his officers must ever promote litigation ; nor ever neglect a lawsuit instituted by others.

43. As a hunter traces the lair of a wounded beast by the drops of blood ; thus let a king investigate the true point of justice by deliberate arguments :

44. Let him fully consider the nature of truth, the state of the case, and his own person ; and next, the witnesses, the place, the mode, and the time ; firmly adhering to all the rules of practice :

45. What has been practised by good men, if it be not inconsistent with the legal customs of provinces or districts, of classes and families, let him establish.

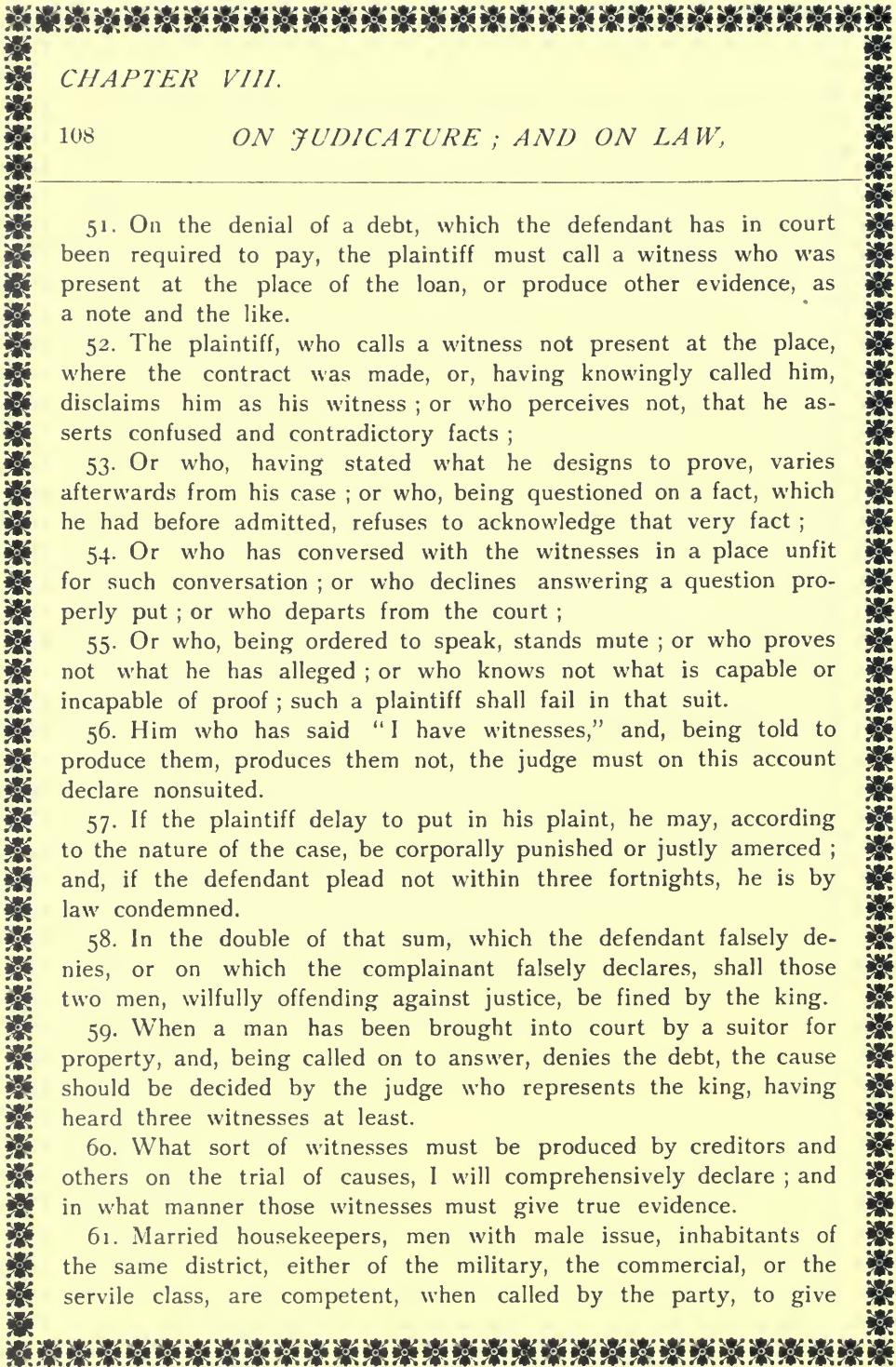
46. When a creditor sues before him for the recovery of his right from a debtor, let him cause the debtor to pay what the creditor shall prove due.

47. By whatever lawful means a creditor may have gotten possession of his own property, let the king ratify such payment by the debtor, though obtained even by compulsory means.

48. By the mediation of friends, by suit in court, by artful management, or by distress, a creditor may recover the property lent ; and, fifthly, by legal force.

49. That creditor, who recovers his right from his debtor, must not be rebuked by the king for retaking his own property.

50. In a suit for a debt, which the defendant denies, let him award payment to the creditor of what, by good evidence, he shall prove due, and exact a small fine, according to the circumstances of the debtor.



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51. On the denial of a debt, which the defendant has in court been required to pay, the plaintiff must call a witness who was present at the place of the loan, or produce other evidence, as a note and the like.

52. The plaintiff, who calls a witness not present at the place, where the contract was made, or, having knowingly called him, disclaims him as his witness ; or who perceives not, that he asserts confused and contradictory facts ;

53. Or who, having stated what he designs to prove, varies afterwards from his case ; or who, being questioned on a fact, which he had before admitted, refuses to acknowledge that very fact ;

54. Or who has conversed with the witnesses in a place unfit for such conversation ; or who declines answering a question properly put ; or who departs from the court ;

55. Or who, being ordered to speak, stands mute ; or who proves not what he has alleged ; or who knows not what is capable or incapable of proof ; such a plaintiff shall fail in that suit.

56. Him who has said "I have witnesses," and, being told to produce them, produces them not, the judge must on this account declare nonsuited.

57. If the plaintiff delay to put in his plaint, he may, according to the nature of the case, be corporally punished or justly amerced ; and, if the defendant plead not within three fortnights, he is by law condemned.

58. In the double of that sum, which the defendant falsely denies, or on which the complainant falsely declares, shall those two men, wilfully offending against justice, be fined by the king.

59. When a man has been brought into court by a suitor for property, and, being called on to answer, denies the debt, the cause should be decided by the judge who represents the king, having heard three witnesses at least.

60. What sort of witnesses must be produced by creditors and others on the trial of causes, I will comprehensively declare ; and in what manner those witnesses must give true evidence.

61. Married housekeepers, men with male issue, inhabitants of the same district, either of the military, the commercial, or the servile class, are competent, when called by the party, to give

their evidence ; not any persons indiscriminately, except in such cases of urgency as will soon be mentioned.

62. Just and sensible men of all classes may be witnesses on trials ; men, who know their whole duty : but men of openly vicious character and convicts the judge must reject.

63. Those must not be admitted who have a great pecuniary interest ; nor familiar friends ; nor menial servants ; nor enemies ; nor men formerly perjured ; nor persons grievously diseased ; nor those, who have committed heinous offences.

64. The king can not be made a witness ; nor public dancers and singers ; nor a priest of deep learning in scripture ; nor a student in theology ; nor an anchoret secluded from all worldly connexions ;

65. Nor one wholly dependent ; nor one of bad fame ; nor one, who follows a cruel occupation ; nor one, who acts openly against the law ; nor a decrepit old man ; nor a mere child ; nor one man only, unless he be distinguished for virtue ; nor a wretch of the lowest mixed class ; nor one, who has lost the organs of sense ;

66. Nor one extremely grieved ; nor one intoxicated ; nor a madman ; nor one inflamed by wrath ; nor one who has been convicted of theft.

67. Women may be witnesses, and any person whatever, who has positive knowledge of transactions in the private apartments of a house, or in a forest, or at a time of death, may give evidence between the parties :

68. On failure of witnesses duly qualified, evidence may in such cases be given by a woman, by a child, or by an aged man, by a pupil, by a kinsman, by a slave, or by a hired servant ;

69. Yet of children, of old men, and of the diseased, who are all apt to speak untruly, the judge must consider the testimony as weak ; and much more, that of men with disordered minds :

70. In all cases of violence, of theft and adultery, of defamation and assault, he must not examine too strictly the competence of witnesses.

71. If there be contradictory evidence, let the judge decide by the plurality of credible witnesses ; if equality in number, by superiority in virtue ; if parity in virtue, by the testimony of such men, as have best performed public duties.

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72. Evidence of what has been seen, or of what has been heard, as slander and the like, given by those who saw or heard it, is admissible ; and a witness, who speaks truth in those cases, neither deviates from virtue nor loses his wealth :

73. But a witness, who knowingly says any thing, before an assembly of good men, different from what he had seen or heard, shall be punished here, and shall fall headlong, after death, into a region of horror.

74. When a man sees or hears any thing, without being then called upon to attest it, yet, if he be afterwards examined as a witness, he must declare it, exactly as it was seen, and as it was heard.

75. One man, untainted with covetousness and other vices, may in some cases be the sole witness, and will have more weight than many other men, who have been tarnished with crimes.

76. What witnesses declare naturally, or without bias, must be received on trials ; but what they improperly say, from some unnatural bent, is inapplicable to the purposes of justice.

77. The witnesses being assembled in the middle of the court-room, in the presence of the plaintiff and the defendant, let the judge examine them, after having addressed them all together in the following manner :

78. "What ye know to have been transacted in the matter before us, between the parties reciprocally, declare at large and with truth ; for your evidence in this cause is required."

79. A witness, who gives testimony with truth, shall attain exalted seats of beatitude above, and the highest fame here below : such testimony is revered by Brahma himself ;

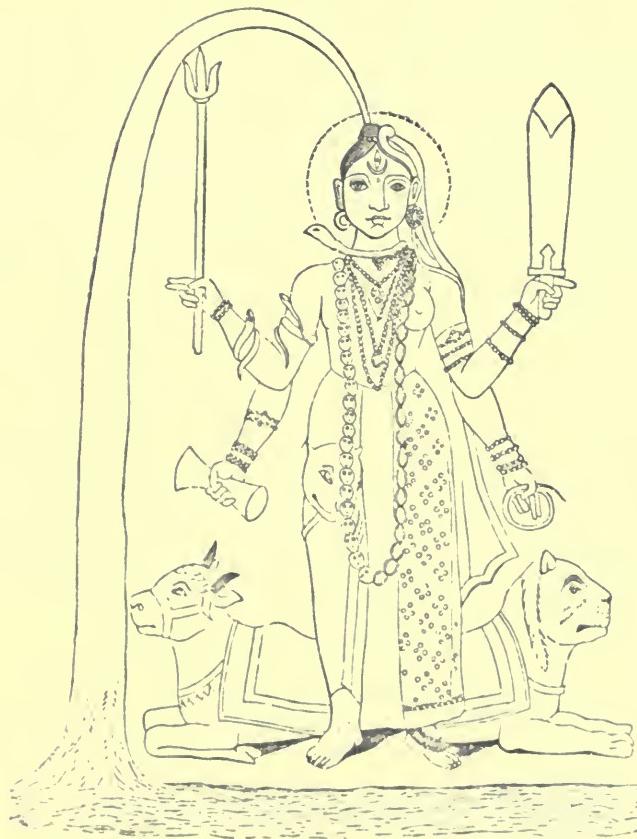
80. The witness who speaks falsely, shall incur odium with men, and punishment here and hereafter : let mankind, therefore, give no false testimony.

81. By truth is a witness cleared from sin ; by truth is justice advanced : truth must, therefore, be spoken by witnesses of every class.

82. The soul itself is its own witness ; the soul itself is its own refuge ; offend not thy conscious soul, the supreme internal witness of men !

83. The sinful have said in their hearts : "None sees us." Yes ;

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the gods distinctly see them ; and so does the spirit within their breasts.

84. In the forenoon let the judge, being purified, severally call on the twice-born, being purified also, to declare the truth, in the presence of some image, a symbol of the divinity, and of Brahmins, while the witnesses turn their faces either to the north or to the east.

85. To a Brahmin he must begin with saying, " Declare;" to a Cshatriya, with saying, " Declare the truth;" to a Vaisya, with comparing perjury to the crime of stealing kine, grain, or gold ; to a Súdra, with comparing it in some or all of the following sentences, to every crime that men can commit.

86. " Whatever places of torture have been prepared for the slayer of a priest, for the murderer of a woman or of a child, for the injurer of a friend, and for an ungrateful man, those places are ordained for a witness who gives false evidence.

87. " The fruit of every virtuous act, which thou hast done, O good man, since thy birth, shall depart from thee to dogs, if thou deviate in speech from the truth.

88. " O friend to virtue, that supreme spirit, which thou believest one and the same with thyself, resides in thy bosom perpetually, and is an all-knowing inspector of thy goodness or of thy wickedness.

89. " If thou beest not at variance, by speaking falsely, with Yama, or the subduer of all : with Vaivaswata, or the punisher, with that great divinity who dwells in thy breast, go not on a pilgrimage to the river Gangà, nor to the plains of Curu, for thou hast no need of expiation.

90. " Naked and shorn, tormented with hunger and thirst, and deprived of sight, shall the man, who gives false evidence, go with a potsherd to beg food at the door of his enemy.

91. " Headlong, in utter darkness, shall the impious wretch tumble into hell, who, being interrogated in a judicial inquiry, answers one question falsely.

92. " He, who in a court of justice gives an imperfect account of any transaction, or asserts a fact of which he was no eye-witness, shall receive pain instead of pleasure, and resemble a man,

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who eats fish with eagerness and swallows the sharp bones.

93. "The gods are acquainted with no better mortal in this world, than the man, of whom the intelligent spirit, which pervades his body, has no distrust, when he prepares to give evidence.

94. "Hear, honest man, from a just enumeration in order, how many kinsmen, in evidence of different sorts, a false witness kills, or incurs the guilt of killing :

95. "He kills five by false testimony concerning cattle in general ; he kills ten by false testimony concerning kine ; he kills a hundred by false evidence concerning horses ; and a thousand by false evidence concerning the human race :

96. "By speaking falsely in a cause concerning gold, he kills the born and the unborn : beware of speaking falsely in a cause concerning land !

97. "The sages have held false evidence concerning water, equal to false evidence concerning land ; and it is equally criminal in causes concerning pearls and other precious things formed in water, and concerning all things made of stone.

98. "Marking well all the evils which are comprehended in the crime of perjury, declare thou the whole truth with precision, as it was heard, and as it was seen by thee."

99. Brahmins, who tend herds of cattle, who trade, who practise mechanical arts, who profess dancing and singing, who are hired servants or usurers, let the judge exhort and examine as if they were Súdras.

100. In some cases, a giver of false evidence from a pious motive, even though he know the truth, shall not lose a seat in heaven : such evidence wise men call the speech of the gods.

101. Whenever the death of a man, who had not been a grievous offender, either of the servile, the commercial, the military, or the sacerdotal class, would be occasioned by true evidence, from the known rigour of the king, even though the fault arose from inadvertence or error, falsehood may be spoken : it is even preferable to truth.

102. Such witnesses must offer, as oblations to Sarasvatí, cakes of rice and milk addressed to the goddess of speech ; and thus will they fully expiate that venial sin of benevolent falsehood :

103. Or such a witness may pour clarified butter into the holy fire, according to the sacred rule, hallowing it with the texts called cūshmāndā, or with those which relate to Varuna, beginning with ud ; or with the three texts appropriated to the water-gods.

104. A man who labours not under illness, yet comes not to give evidence in cases of loans and the like, within three fortnights after due summons, shall take upon himself the whole debt, and pay a tenth part of it as a fine to the king.

105. The witness, who has given evidence, and to whom, within seven days after, a misfortune happens from disease, fire, or the death of a kinsman, shall be condemned to pay the debt and a fine.

106. In cases, where no witness can be had, between two parties opposing each other, the judge may acquire a knowledge of the truth by the oath of the parties ; or if he can not otherwise perfectly ascertain it.

107. By the seven great Rishis, and by the deities themselves, have oaths been taken, for the purpose of judicial proof ; and even Vasish'tha, being accused by Viswāmitra of murder, took an oath before the king Sudāman, son of Piyavana.

108. Let no man of sense take an oath in vain, on a trifling occasion ; for the man, who takes an oath in vain, shall be punished in this life and in the next :

109. To women, however, at a time of dalliance, or on a proposal of marriage, in the case of grass or fruit eaten by a cow, of wood taken for a sacrifice, or of a promise made for the preservation of a Brahmin, it is no deadly sin to take a light oath.

110. Let the judge cause a priest to swear by his veracity ; a soldier, by his horse, or elephant, and his weapons ; a merchant, by his kine, grain, and gold ; a mechanic or servile man, by imprecating on his own head, if he speak falsely, all possible crimes ;

111. Or, on great occasions, let him cause the party to hold fire, or to dive under water, or severally to touch the heads of his children and wife :

112. He, whom the blazing fire burns not, whom the water soon forces not up, or who meets with no speedy misfortune, must be held veracious in his testimony on oath.

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113. Of the sage Vatsa, whom his younger half-brother formerly attacked, as the son of a servile woman, the fire, which pervades the world, burned not even a hair, by reason of his perfect veracity.

114. Whenever false evidence has been given in any suit, the king must reverse the judgment ; and whatever has been done, must be considered as undone.

115. Evidence, given from covetousness, from distraction of mind, from terror, from friendship, from lust, from wrath, from ignorance, and from inattention, must be held invalid.

116. The distinctions of punishment for a false witness, from either of those motives, I will propound fully and in order :

117. If he speak falsely through covetousness, he shall be fined a thousand panas ; if through distraction of mind, two hundred and fifty, or the lowest amercement ; if through terror, two mean amercements ; if through friendship, four times the lowest ;

118. If through lust, ten times the lowest amercement ; if through wrath, three times the next, or middlemost ; if through ignorance, two hundred complete ; if through inattention, a hundred only.

119. Learned men have specified these punishments, which were ordained by sage legislators for perjured witnesses, with a view to prevent a failure of justice and to restrain iniquity.

120. Let a just prince banish men of the three lower classes, if they give false evidence, having first levied the fine ; but a Brahmin let him only banish.

121. Menu, son of the Self-existent, has named ten places of punishment, which are appropriated to the three lower classes ; but a Brahmin must depart from the realm unhurt in any one of them :

122. The part of generation, the belly, the tongue, the two hands, and, fifthly, the two feet, the eye, the nose, both ears, the property, and, in a capital case, the whole body.

123. Let the king, having considered and ascertained the frequency of a similar offence, the place and time, the ability of the criminal to pay or suffer, and the crime itself, cause punishment to fall on those alone, who deserve it.

124. Unjust punishment destroys reputation during life, and fame after death ; it even obstructs, in the next life, the path to heaven : unjust punishment, therefore, let the king by all means avoid.

125. A king, who inflicts punishment on such as deserve it not, and inflicts no punishment on such as deserve it, brings infamy on himself, while he lives, and shall sink, when he dies, to a region of torment.

126. First, let him punish by gentle admonition ; afterwards, by harsh reproof ; thirdly, by deprivation of property ; after that, by corporal pain :

127. But, when even by corporal punishment he can not restrain such offenders, let him apply to them all the four modes with rigour.

128. Those names of copper, silver, and gold weights, which are commonly used among men, for the purpose of worldly business, I will now comprehensively explain.

129. The very small mote, which may be discerned in a sunbeam passing through a lattice, is the least visible quantity, and men call it a *trasarénu* :

130. Eight of those *trasarénus* are supposed equal in weight to one minute poppy-seed ; three of those seeds are equal to one black mustard-seed ; and three of those last, to a white mustard-seed :

131. Six white mustard-seeds are equal to a middle-sized barley-corn ; three such barley-corns to one *racticà*, or seed of the *Gunjà* ; five *racticás* of gold are one *másha*, and sixteen such *máshas*, one *suverna* ;

132. Four *suvernás* make a *pala* ; ten *palas*, a *dharana* ; but two *racticás* of silver, weighed together, are considered as one *máshaca* ;

133. Sixteen of those *máshacas* are a silver *dharana*, or *purána* ; but a *carsha*, or eighty *racticás* of copper, is called a *pana* or *cárshápana*.

134. Ten *dharanas* of silver are known by the name of a *samatáma* ; and the weight of four *suvernás* has also the appellation of a *nishca*.

135. Now two hundred and fifty *panas* are declared to be the first or lowest amercement ; five hundred of them are considered as the mean ; and a thousand, as the highest.

136. A debt being admitted by the defendant, he must pay five in the hundred, as a fine to the king ; but, if it be denied and proved, twice as much : this law was enacted by *Menu*.

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ON JUDICATURE ; AND ON LAW,

137. A lender of money may take, in addition to his capital, the interest allowed by Vasisht'ha, that is, an eightieth part of a hundred, or one and a quarter, by the month, if he have a pledge;

138. Or, if he have no pledge, he may take two in the hundred by the month, remembering the duty of good men : for, by thus taking two in the hundred, he becomes not a sinner for gain.

139. He may thus take in proportion to the risk, and in the direct order of the classes, two in the hundred from a priest, three from a soldier, four from a merchant, and five from a mechanic or servile man, but never more, as interest by the month.

140. If he take a beneficial pledge, or a pledge to be used for his profit, he must have no other interest on the loan ; nor, after a great length of time, or when the profits have amounted to the debt, can he give or sell such a pledge, though he may assign it in pledge to another.

141. A pledge to be kept only must not be used by force, that is, against consent : the pawnee so using it must give up his whole interest, or must satisfy the pawner, if it be spoiled or worn out, by paying him the original price of it ; otherwise, he commits a theft of the pawn.

142. Neither a pledge without limit, nor a deposit, are lost to the owner by lapse of time : they are both recoverable, though they have long remained with the bailee.

143. A milch cow, a camel, a riding-horse, a bull or other beast, which has been sent to be tamed for labour, and other things used with friendly assent, are not lost by length of time to the owner.

144. In general, whatever chattel the owner sees enjoyed by others for ten years, while, though present, he says nothing, that chattel he shall not recover :

145. If he be neither an idiot, nor an infant under the full age of fifteen years, and if the chattel be adversely possessed in a place where he may see it, his property in it is extinct by law, and the adverse possessor shall keep it.

146. A pledge, a boundary of land, the property of an infant, a deposit either open or in a chest sealed, female slaves, the wealth of a king, and of a learned Brahmin, are not lost in consequence of adverse enjoyment.

147. The fool, who secretly uses a pledge without, though not against, the assent of the owner, shall give up half of his interest, as a compensation for such use.

148. Interest on money, received at once, not month by month, or day by day, as it ought, must never be more than enough to double the debt, that is, more than the amount of the principal paid at the same time : on grain, on fruit, on wool or hair, on beasts of burden, lent to be paid in the same kind of equal value, it must not be more than enough to make the debt quintuple.

149. Stipulated interest beyond the legal rate, and different from the preceding rule, is invalid ; and the wise call it an usurious way of lending : the lender is entitled at most to five in the hundred.

150. Let no lender for a month, or for two or three months, at a certain interest, receive such interest beyond the year ; nor any interest, which is unapproved ; nor interest upon interest by previous agreement ; nor monthly interest exceeding in time the amount of the principal ; nor interest exacted from a debtor, as the price of the risk, when there is no public danger or distress ; nor immoderate profits from a pledge to be used by way of interest.

151. He, who can not pay the debt at the fixed time, and wishes to renew the contract, may renew it in writing, with the creditor's assent, if he pay all the interest then due ;

152. But if, by some unavoidable accident, he can not pay the whole interest, he may insert as principal in the renewed contract so much of the interest accrued as he ought to pay.

153. A lender at interest on the risk of safe carriage, who has agreed on the place and time, shall not receive such interest, if by accident the goods are not carried to the place, or within the time.

154. Whatever interest, or price of the risk, shall be settled between the parties, by men well acquainted with sea-voyages or journeys by land, with times and with places, such interest shall have legal force.

155. The man, who becomes surety for the appearance of a debtor, and produces him not, shall pay the debt out of his own property ;

156. But money, due by a surety, or idly promised to musicians and actresses, or lost at play, or due for spirituous liquors, or what remains unpaid of a fine or toll, the son of the surety or

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debtor shall not in general be obliged to pay :

157. Such is the rule in cases of a surety for appearance or good behaviour ; but, if a surety for payment should die, the judge may compel even his heirs to discharge the debt.

158. On what account then is it, that, after the death of a surety other than for payment, the creditor may in one case demand the debt of the heir, all the affairs of the deceased being known and proved ?

159. If the surety had received money from the debtor, and had enough to pay the debt, the son of him, who so received it, shall discharge the debt out of his inherited property : this is a sacred ordinance.

160. A contract made by a person intoxicated or insane, or grievously disordered, or wholly dependent, by an infant or a decrepit old man, or in the name of another by a person without authority, is utterly null.

161. That plaint can have no effect, though it may be supported by evidence, which contains a cause of action inconsistent with positive law or with settled usage.

162. When the judge discovers a fraudulent pledge or sale, a fraudulent gift and acceptance, or in whatever other case he detects fraud, let him annul the whole transaction.

163. If the debtor be dead, and if the money borrowed was expended for the use of his family, it must be paid by that family, divided or undivided, out of their own estate.

164. Should even a slave make a contract in the name of his absent master for the behoof of the family, that master, whether in his own country or abroad, shall not rescind it.

165. What is given by force to a man who can not accept it legally, what is by force enjoyed, by force caused to be written, and all other things done by force or against free consent, Menu has pronounced void.

166. Three are troubled by means of others, namely, witnesses, sureties, and inspectors of causes, and four collect wealth slowly, with benefit to others, a Brahmin, a money-lender, a merchant, and a king.

167. Let no king, how indigent soever, take any thing which

ought not to be taken ; nor let him, how wealthy soever, decline taking that which he ought to take, be it ever so small :

168. By taking what ought not to be taken, and by refusing what ought to be received, the king betrays his own weakness, and is lost both in this world and in the next ;

169. But by taking his due, by administering justice, and by protecting the weak, the king augments his own force, and is exalted in the next world and in this.

170. Therefore, let the king, resigning what may be pleasing or unpleasing to himself, live by strict rules, his anger being repressed, and his organs kept in subjection.

171. That evil-minded king, who, through infatuation, decides causes with injustice, his enemies, through the disaffection of his people, quickly reduce to a state of dependence ;

172. But him, who subduing both lust and wrath, examines causes with justice, his people naturally seek, as rivers the ocean.

173. The debtor, who complains before the king, that his creditor has recovered the debt by his own legal act, as before-mentioned, shall be compelled by the king to pay a quarter of the sum as a fine, and the creditor shall be left in possession of his own.

174. Even by personal labour shall the debtor pay what is adjudged.

175. By this system of rules let the king decide, with equal justice, all disputes between men opposing each other, having ascertained the truth by evidence or the oaths of the parties.

176. A sensible man wishing to make a deposit should do so with some person of high birth, and of good morals, well acquainted with law, habitually veracious, having a large family, wealthy and venerable.

177. Whatever thing, and in whatever manner, a person shall deposit in the hands of another, the same thing, and in the same manner, ought to be received back by the owner : as the delivery was, so must be the receipt.

178. He, who restores not to the depositor, on his request, what has been deposited, may first be tried by the judge in the following manner, the depositor himself being absent.

179. On failure of witnesses, let the judge actually deposit gold,

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or precious things, with the defendant, by the artful contrivance of spies, who have passed the age of childhood, and whose persons are engaging :

180. Should the defendant restore that deposit in the manner and shape in which it was bailed by the spies, there is nothing in his hands, for which others can justly accuse him;

181. But if he restore not the gold, or precious things, as he ought, to those emissaries, let him be apprehended and compelled to pay the value of both deposits : this is a settled rule.

182. A deposit, whether sealed up or not, should never be redelivered, while the depositor is alive, to his heir-apparent or presumptive : both sorts of deposits, indeed, are extinct, or can not be demanded by the heir, if the depositor die, in that case ; but not, unless he die, for, should the heir-apparent keep them, the depositor himself may sue the bailee :

183. But, if a depositary by his own free act shall deliver a deposit to the heir of a deceased bailor, he must not be harassed with claims of a similar kind, either by the king, or by that heir :

184. And, if similar claims be made, the king must decide the questions after friendly admonition ; for, the honest disposition of the man being proved, the judge must proceed with mildness.

185. Such is the mode of ascertaining the right in all these cases of a deposit : in the case of a deposit sealed up, the bailee shall incur no censure on the redelivery, unless he have altered the seal or taken out something.

186. If a deposit be seized by thieves, or destroyed by vermin, or washed away by water, or consumed by fire, the bailee shall not be obliged to make it good, unless he took part of it for himself.

187. The defendant, who denies a deposit, and the plaintiff, who asserts it, let the king try by all sorts of expedients.

188. He who restores not a thing really deposited, and he, who demands what he never bailed, shall both, for a second offence, be punished as thieves, if gold, pearls, or the like be demanded ; or, in the case of a trifling demand, shall pay a fine equal to the value of the thing claimed :

189. For the first offence, the king should compel a fraudulent depositary, without any distinction between a deposit under seal or

open, to pay a fine equal to its value.

190. That man, who, by false pretences, gets into his hands the goods of another, shall, together with his accomplices, be punished by various degrees of whipping or mutilation.

191. Regularly, a deposit should be produced, the same in kind and quantity as it was bailed, by the same and to the same person, by whom and from whom it was received, and before the same company, who were witnesses to the deposit : he who produces it in a different manner, ought to be fined ;

192. But a thing, privately deposited, should be privately restored by and to the person, by and from whom it was received : as the bailment was, so should be the delivery.

193. Thus let the king decide causes concerning a deposit, or a friendly loan for use, without showing rigour to the depositary.

194. Him, who sells the property of another man, without the assent of the owner, the judge shall not admit as a competent witness, but shall treat as a thief, who pretends that he has committed no theft :

195. If, indeed, he be a near kinsman of the owner, he shall be fined six hundred panas ; but, if he be neither his kinsman nor a claimant under him, he commits an offence equal to larceny.

196. A gift or sale, thus made by any other than the true owner, must, by a settled rule, be considered, in judicial proceedings, as not made.

197. Where occupation for a time shall be proved, but no sort of title shall appear, the sale can not be supported : title, not occupation, is essential to its support ; and this rule also is fixed.

198. He, who has received a chattel, by purchase in open market, before a number of men, justly acquires the absolute property, by having paid the price of it, if he can produce the vendor ;

199. But, if the vendor be not producible, and the vendee prove the public sale, the latter must be dismissed by the king without punishment ; and the former owner, who lost the chattel, may take it back on paying the vendee half its value.

200. One commodity, mixed with another, shall never be sold as unmixed ; nor a bad commodity as good ; nor less than agreed on ; nor any thing kept at a distance or concealed, lest some de-

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fect in it should be discovered.

201. If, after one damsel has been shown, another be offered to the bridegroom, who had purchased leave to marry her from her next kinsman, he may become the husband of both for the same price : this law Menu ordained.

202. The kinsman, who gives a damsel in marriage, having first openly told her blemishes, shall suffer no punishment.

203. If an officiating priest, actually engaged in a sacrifice, abandon his work, a share only, in proportion to his work done, shall be given to him by his partners in the business, out of their common pay :

204. But, if he discontinue his work without fraud, after the time of giving the sacrificial fees, he may take his full share, and cause what remains to be performed by another priest.

205. Where, on the performance of solemn rites, a specific fee is ordained for each part of them, shall he alone, who performs that part, receive the fee, or shall all the priests take the perquisites jointly ?

206. At some holy rites, let the reader of the Yajurvéda take the car, and the Brahmá, or superintending priest, the horse ; or, on another occasion, let the reader of the Rigveda take the horse, and the chanter of the Sámavéda receive the carriage, in which the purchased materials of the sacrifice had been brought.

207. A hundred cows being distributable among sixteen priests, the four chief, or first set, are entitled to near half, or forty-eight ; the next four, to half of that number ; the third set, to a third part of it ; and the fourth set, to a quarter :

208. According to this rule, or in proportion to the work, must allotments of shares be given to men here below, who, though in conjunction, perform their several parts of the business.

209. Should money or goods be given, or promised as a gift, by one man to another, who asks it for some religious act, the gift shall be void, if that act be not afterwards performed :

210. If the money be delivered, and the receiver, through pride or avarice, refuse in that case to return it, he shall be fined one suverna by the king, as a punishment for his theft.

211. Such, as here declared, is the rule : I will, next, propound

the law for non-payment of wages.

212. That hired servant or workman, who, not from any disorder but from indolence, fails to perform his work according to his agreement, shall be fined eight racticas, and his wages or hire shall not be paid.

213. But, if he be really ill, and, when restored to health, shall perform his work according to his original bargain, he shall receive his pay even for a very long time :

214. Yet, whether he be sick or well, if the work stipulated be not performed by another for him or by himself, his whole wages are forfeited, though the work want but a little of being complete.

215. This is the general rule concerning work undertaken for wages or hire : next, I will fully declare the law concerning such men as break their promises.

216. The man, among the traders and other inhabitants of a town or district, who breaks a promise through avarice, though he had taken an oath to perform it, let the king banish from his realm :

217. Or, according to circumstances, let the judge, having arrested the promise-breaker, condemn him to pay six nishcas, or four suvernás, or one satamána of silver, or all three if he deserve such a fine.

218. Among all citizens, and in all classes, let a just king observe this rule for imposing fines on men, who shall break their engagements.

219. A man, who has bought or sold any thing in this world, that has a fixed price, and is not perishable, as land or metals, and wishes to rescind the contract, may give or take back such a thing within ten days ;

220. But, after ten days, he shall neither give nor take it back : the giver or the taker, except by consent, shall be fined by the king six hundred panas.

221. The king himself shall take a fine of ninety-six panas from him, who gives a blemished girl in marriage, without avowing her blemish ;

222. But the man, who, through malignity, says of a damsel, that she is no virgin, shall be fined a hundred panas, if he can not prove her defilement.

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223. The holy nuptial texts are applied solely to virgins, and nowhere on earth to girls, who have lost their virginity ; since those women are in general excluded from legal ceremonies :

224. The nuptial texts are a certain rule in regard to wedlock, and the bridal contract is known by the learned to be complete and irrevocable on the seventh step of the married pair, hand in hand, after those texts have been pronounced.

225. By this law, in all business whatever here below, must the judge confine, within the path of rectitude, a person inclined to rescind his contract of sale and purchase.

226. I now will decide exactly, according to principles of law, the contests usually arising from the fault of such as own herds of cattle, and of such as are hired to keep them.

227. By day the blame falls on the herdsman ; by night on the owner, if the cattle be fed and kept in his own house ; but, if the place of their food and custody be different, the keeper incurs the blame.

228. That hired servant, whose wages are paid with milk, may, with the assent of the owner, milk the best cow out of ten : such are the wages of herdsmen, unless they be paid in a different mode.

229. The herdsman himself shall make good the loss of a beast, which through his want of due care has strayed, has been destroyed by reptiles, or killed by dogs, or has died by falling into a pit ;

230. But he shall not be compelled to make it good, when robbers have carried it away, if, after fresh proclamation and pursuit, he give notice to his master in a proper place and season.

231. When cattle die, let him carry to his master their ears, their hides, their tails, the skin below their navels, their tendons, and the liquor exuding from their foreheads : let him also point out their limbs.

232. A flock of goats or of sheep being attacked by wolves, and the keeper not going to repel the attack, he shall be responsible for every one of them, which a wolf shall violently kill ;

233. But, if any one of them, while they graze together near a wood, and the shepherd keeps them in order, shall be suddenly killed by a wolf springing on it, he shall not in that case be responsible.

234. On all sides of a village or small town, let a space be left for pasture, in breadth either four hundred cubits, or three casts of a large stick ; and thrice that space round a city or considerable town :

235. Within that pasture ground, if cattle do any damage to grain in a field uninclosed with a hedge, the king shall not punish the herdsman.

236. Let the owner of the field inclose it with a hedge of thorny plants, over which a camel could not look ; and let him stop every gap, through which a dog or a boar could thrust his head.

237. Should cattle, attended by a herdsman, do mischief near a highway, in an inclosed field or near the village, he shall be fined a hundred panas ; but against cattle which have no keeper, let the owner of the field secure it.

238. In other fields, the owner of cattle doing mischief shall be fined one pana and a quarter ; but, in all places, the value of the damaged grain must be paid : such is the fixed rule concerning a husbandman.

239. For damage by a cow before ten days have passed since her calving, by bulls kept for impregnation, whether attended or unattended, Menu has ordained no fine.

240. If land be injured, by the fault of the farmer himself, as if he fails to sow it in due time, he shall be fined ten times as much as the king's share of the crop, that might otherwise have been raised ; but only five times as much, if it was the fault of his servants without his knowledge.

241. These rules let a just prince observe in all cases of transgression by masters, their cattle, and their herdsmen.

242. If a contest arise between two villages, or landholders, concerning a boundary, let the king, or his judge ascertain the limits in the month of Jyaishtha, when the landmarks are seen more distinctly.

243. When boundaries first are established, let strong trees be planted on them, Vatas, Pippalas, Palásas, Sálmalis, Sálas or Tálas ; or such trees (like the Udumbara or Vajradru) as abound in milk ;

244. Or clustering shrubs, or Vénus of different sorts, or Sami-

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trees, and creepers, or Saras, and clumps of Cubjacas : and mounds of earth should be raised on them, so that the landmark may not easily perish :

245. Lakes and wells, pools and streams, ought also to be made on the common limits, and temples dedicated to the gods.

246. The persons concerned, reflecting on the perpetual trespasses committed by men here below through ignorance of boundaries, should cause other landmarks to be concealed under ground :

247. Large pieces of stone, bones, tails of cows, bran, ashes, potsherds, dried cow-dung, bricks and tiles, charcoal, pebbles, and sand,

248. And substances of all sorts, which the earth corrodes not even in a long time, should be placed in jars not appearing above ground on the common boundary.

249. By such marks, or by the course of a stream, and long continued possession, the judge may ascertain the limit between the lands of two parties in litigation.

250. Should there be a doubt, even on the inspection of those marks, recourse must be had, for the decision of such a contest, to the declarations of witnesses.

251. Those witnesses must be examined concerning the landmarks, in the presence of all the townsmen or villagers, or of both the contending parties :

252. What the witnesses, thus assembled and interrogated, shall positively declare concerning the limits, must be recorded in writing, together with all their names.

253. Let them, putting earth on their heads, wearing chaplets of red flowers and clad in red mantles, be sworn to give correct evidence concerning the metes and bounds.

254. Veracious witnesses, who give evidence as the law requires, are held in honour ; but such, as give it unjustly, shall each be fined two hundred panas.

255. If there be no witnesses, let four men, who dwell on all the four sides of the two villages, make a decision concerning the boundary, being duly prepared, like the witnesses, in the presence of the king.

256. If there be no such neighbours on all sides, nor any men,

whose ancestors had lived there since the villages were built, nor other inhabitants of towns, who can give evidence on the limits, the judge must examine the following men, who inhabit the woods;

257. Hunters, fowlers, herdsmen, fishers, diggers for roots, catchers of snakes, gleaners, and other foresters:

258. According to their declaration, when they are duly examined, let the king with precision order landmarks to be fixed on the boundary line between the two villages.

259. As to the bounds of arable fields, wells or pools, gardens and houses, the testimony of next neighbours on every side must be considered as the best means of decision:

260. Should the neighbours say any thing untrue, when two men dispute about a landmark, the king shall make each of those witnesses pay the middlemost of the three usual amercements.

261. He, who, by means of intimidation, shall possess himself of a house, a pool, a field, or a garden, shall be fined five hundred panas; but only two hundred, if he trespassed through ignorance of the right.

262. If the boundary can not be otherwise ascertained, let the king, knowing what is just, that is, without partiality, and consulting the future benefit of both parties, make a bound-line between their lands: this is a settled law.

263. Thus has the rule been propounded for decisions concerning landmarks: I, next, will declare the law concerning defamatory words.

264. A soldier, defaming a priest, shall be fined a hundred panas; a merchant, thus offending, an hundred and fifty, or two hundred; but, for such an offence, a mechanic or servile man shall be whipped.

265. A priest shall be fined fifty, if he slander a soldier; twenty-five, if a merchant; and twelve, if he slander a man of the servile class.

266. For abusing one of the same class, a twice-born man shall be fined only twelve; but for ribaldry not to be uttered, even that and every fine shall be doubled.

267. A once-born man, who insults the twice-born with gross invectives, ought to have his tongue slit; for he sprang from the

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lowest part of Brahma :

268. If he mention their names and classes with contumely, as if he say, "Oh Dévadatta, thou refuse of Brahmins," an iron style, ten fingers long, shall be thrust red hot into his mouth.

269. Should he, through pride, give instruction to priests concerning their duty, let the king order some hot oil to be dropped into his mouth and his ear.

270. He, who falsely denies, through insolence, the sacred knowledge, the country, the class, or the corporeal investiture of a man equal in rank, shall be compelled to pay a fine of two hundred panas.

271. If a man call another blind with one eye, or lame, or defective in any similar way, he shall pay the small fine of one pana, even though he speak truth.

272. He shall be fined a hundred, who defames his mother, his father, his wife, his brother, his son, or his preceptor ; and he, who gives not his preceptor the way.

273. For mutual abuse by a priest and a soldier, this fine must be imposed by a learned king ; the lowest amercement on the priest, and the middlemost on the soldier.

274. Such exactly, as before-mentioned, must be the punishment of a merchant and a mechanic, in respect of their several classes, except the slitting of the tongue : this is a fixed rule of punishment.

275. Thus fully has the law been declared for the punishment of defamatory speech : I will, next, propound the established law concerning assault and battery.

276. With whatever member a low-born man shall assault or hurt a superior, even that member of his must be slit, or cut more or less in proportion to the injury : this is an ordinance of Menu.

277. He, who raises his hand or a staff against another, shall have his hand cut ; and he, who kicks another in wrath, shall have an incision made in his foot.

278. A man of the lowest class, who shall insolently place himself on the same seat with one of the highest, shall either be banished with a mark on his hinder parts, or the king shall cause a gash to be made on his buttock :

279. Should he spit on him through pride, the king shall order

both his lips to be gashed ; should he urine on him, his penis ; should he break wind against him, his anus.

280. If he seize the Brahmin by the locks, or by the feet, or by the beard, or by the throat, or by the scrotum, let the king without hesitation cause incisions to be made in his hands.

281. If any man scratch the skin of his equal, or fetch blood from him, he shall be fined a hundred panas ; if he wound a muscle, six nishcas ; but, if he break a bone, let him be instantly banished.

282. According to the use and value of all great trees, must a fine be set for injuring them : this is an established rule.

283. If a blow, attended with much pain, be given either to human creatures or cattle, the king shall inflict on the striker a punishment as heavy as the presumed suffering.

284. In all cases of hurting a limb, wounding, or fetching blood, the assailant shall pay the expense of a perfect cure ; or, on his failure, both full damages and a fine to the same amount.

285. He, who injures the goods of another, whether acquainted or unacquainted with the owner of them, shall give satisfaction to the owner, and pay a fine to the king equal to the damage.

286. If injury be done to leather or to leathern bags, or to utensils made of wood or clay, the fine shall be five times their value.

287. The wise reckon ten occasions, in regard to a carriage, its driver, and its owner, on which the fine is remitted ; on other occasions a fine is ordained by law :

288. The nose-cord or bridle being cut, by some accident without negligence, or the yoke being snapped, on a sudden overturn, or running against any thing without fault, the axle being broken, or the wheel cracked ;

289. On the breaking of the thongs, of the halter, or of the reins, and when the driver has called aloud to make way, on these occasions has Menu declared that no fine shall be set :

290. But, where a carriage has been overturned by the unskilfulness of the driver, there, in the case of any hurt, the master shall be fined two hundred panas.

291. If the driver be skilful, but negligent, the driver alone shall be fined ; and those in the carriage shall be fined each a

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hundred, if the driver be clearly unskilful.

292. Should a driver of a carriage, being met in the way by another carriage or by cattle, kill any animal by his negligence, a fine shall, without doubt, be imposed by the following rule :

293. For killing a man, a fine, equal to that for theft, shall be instantly set ; half that amount, for large brute animals, as for a bull or cow, an elephant, a camel, or a horse ;

294. For killing very young cattle, the fine shall be two hundred panas ; and fifty, for elegant quadrupeds or beautiful birds, as antelopes, parrots, and the like ;

295. For an ass, a goat, or a sheep, the fine must be five silver máshas ; and one másha, for killing a dog or a boar.

296. A wife, a son, a servant, a pupil, and a younger whole brother, may be corrected, when they commit faults, with a rope or the small shoot of a cane ;

297. But on the back part only of their bodies, and not on a noble part by any means : he who strikes them otherwise than by this rule, incurs the guilt, or shall pay the fine, of a thief.

298. This law of assault and battery has been completely declared : I proceed to declare the rule for the settled punishment of theft.

299. In restraining thieves and robbers, let the king use extreme diligence ; since, by restraining thieves and robbers, his fame and his domain are increased.

300. Constantly, no doubt, is that king to be honoured, who bestows exemption from fear.

301. A sixth part of the reward for virtuous deeds, performed by the whole people, belongs to the king, who protects them ; but, if he protect them not, a sixth part of their iniquity lights on him.

302. Of the reward for what every subject reads in the Veda, for what he sacrifices, for what he gives in charity, for what he performs in worship, the king justly takes a sixth part in consequence of protection.

303. A king acts with justice in defending all creatures.

304. But a king, who gives no such protection, yet receives taxes in kind or in value, market duties and tolls, the small daily presents for his household, and fines for offences, falls into a region of horror.

305. That king, who gives no protection, yet takes a sixth part of the grain as his revenue, wise men have considered as a prince, who draws to him the foulness of all his people.

306. Be it known, that a monarch, who pays no regard to the scriptures, who denies a future state, who acts with rapacity, who protects not his people, yet swallows up their possessions, will sink low indeed after death.

307. With great care and by three methods let him restrain the unjust ; by imprisonment, by confinement in fetters, and by various kinds of corporal punishment ;

308. Since, by restraining the bad, and by encouraging the good, kings are perpetually made pure.

309. A king, who seeks benefit to his own soul, must always forgive parties litigant, children, old men, and sick persons, who inveigh against him :

310. He, who forgives persons in pain, when they abuse him, shall on that account be exalted in heaven ; but he, who excuses them not, through the pride of dominion, shall for that reason sink into hell.

311. The stealer of gold from a priest must run hastily to the king, with loosened hair, proclaiming the theft, and adding : " Thus have I sinned ; punish me."

312. He must bear on his shoulder a pestle of stone, or a club of chadira-wood, or a javelin pointed at both ends, or an iron mace :

313. Whether the king strike him with it, or dismiss him un-hurt, the thief is then absolved from the crime ; but the king, if he punish him not, shall incur the guilt of the thief.

314. The killer of a priest, or destroyer of an embryo, casts his guilt on the willing eater of his provisions ; an adulterous wife, on her negligent husband ; a bad scholar and sacrificer, on their ignorant preceptor ; and a thief, on the forgiving prince :

315. But men, who have committed offences, and have received from kings the punishment due to them, go pure to heaven, and become as clear as those who have done well.

316. He, who steals the rope or the water-pot from a well, and he, who breaks down a cistern, shall be fined a másha of gold ; and that, which he has taken or injured, he must restore to its

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former condition.

317. Corporal punishment shall be inflicted on him, who steals more than ten cumbhas of grain (a cumbha is twenty drónas, and a dróna, two hundred palas) : for less he must be fined eleven times as much, and shall pay to the owner the amount of his property.

318. So shall corporal punishment be inflicted for stealing commodities usually sold by weight, or more than a hundred, or gold, or silver, or costly apparel :

319. For stealing more than fifty palas, it is enacted that a hand shall be amputated : for less, the king shall set a fine eleven times as much as the value.

320. For stealing men of high birth, and women above all, and the most precious gems, as diamonds or rubies, the thief deserves capital punishment.

321. For stealing large beasts, weapons, or medicines, let the king inflict adequate punishment, considering the time and the act.

322. For taking kine belonging to priests, and boring their nostrils, or for stealing their other cattle, the offender shall instantly lose half of one foot.

323. For stealing thread, raw cotton, materials to make spirituous liquor, cow-dung, molasses, curds, milk, buttermilk, water, or grass,

324. Large canes, baskets of canes, salt of every kind, earthen pots, clay or ashes,

325. Fish, birds, oil, or clarified butter, flesh-meat, honey, or any thing, as leather, horn, or ivory, that came from a beast,

326. Or other things not precious, or spirituous liquors, rice dressed with clarified butter, or other messes of boiled rice, the fine must be twice the value of the commodity stolen.

327. For stealing as much as a man can carry of flowers, green corn, shrubs, creepers, small trees, or other vegetables, enclosed by a hedge, the fine shall be five racticas of gold or silver ;

328. But for corn, pot-herbs, roots, and fruit, uninclosed by a fence, the fine is an hundred panas, if there be no sort of relation between the taker and the owner ; or half a hundred, if there be such relation.

329. If the taking be violent, and in the sight of the owner, it is robbery ; if privately in his absence, it is only theft ; and it is

considered as theft, when a man, having received any thing, refuses to give it back.

330. On him, who steals the before-mentioned things, when they are prepared for use, let the king set the lowest amercement of the three; and the same on him, who steals only fire from the temple.

331. With whatever limb a thief commits the offence by any means in this world, as if he break a wall with his hand or his foot, even that limb shall the king amputate, for the prevention of a similar crime.

332. Neither a father, nor a preceptor, nor a friend, nor a mother, nor a wife, nor a son, nor a domestic priest, must be left unpunished by the king, if they adhere not with firmness to their duty.

333. Where another man of lower birth would be fined one pana, the king shall be fined a thousand, and he shall give the fine to the priests, or cast it into the river: this is a sacred rule.

334. But the fine of a Súdra for theft shall be eightfold; that of a Vaisya, sixteenfold; that of a Cshatriya, two and thirtyfold.

335. That of a Brahmin, four and sixtyfold; or a hundredfold complete, or even twice four and sixtyfold; each of them knowing the nature of his offence.

336. The taking of roots and fruit from a large tree, in a field or a forest uninclosed, or of wood for a fire, or of grass to be eaten by cows, Menu has pronounced no theft.

337. A priest who willingly receives any thing, either for sacrificing or for instructing, from the hand of a man who had taken what the owner had not given, shall be punished even as the thief.

338. A twice-born man, who is travelling, and whose provisions are scanty, shall not be fined, for taking only two sugar-canies, or two esculent roots, from the field of another man.

339. He, who ties the unbound, or looses the bound, cattle of another, and he, who takes a slave, a horse, or a carriage without permission, shall be punished as for theft.

340. A king, who by enforcing these laws restrains men from committing theft, acquires in this world fame, and, in the next, beatitude.

341. Let not the king, who ardently desires a seat in heaven, and wishes for glory, which nothing can change or diminish, en-

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dure for a moment the man, who has committed atrocious violence, as by robbery, arson, or homicide.

342. He, who commits great violence, must be considered as a more grievous offender than a defamer, a thief, or a striker with a staff :

343. That king, who endures a man convicted of such atrocity, quickly goes to perdition, and incurs public hate.

344. Neither on account of friendship, nor for the sake of great lucre, shall the king acquit the perpetrators of violent acts, who spread terror among all creatures.

345. The people may take arms, when their right is obstructed by force ; and when, in some evil time, a disaster has befallen the humble classes ;

346. And in their own defence ; and in a war for just cause ; and in defence of a woman or a child : he, who kills justly, commits no crime.

347. Let a man, without hesitation, slay another, if he can not otherwise escape, who assails him with intent to murder, whether young or old, or his preceptor, or teacher deeply versed in the scripture.

348. By killing an assassin, who attempts to kill, whether in public or in private, no crime is committed by the slayer : fury recoils upon fury.

349. Men, who commit overt acts of adulterous inclinations for the wives of others, let the king banish from his realm, having punished them with such bodily marks, as excite aversion ;

350. Since adultery causes, to the general ruin, a mixture of classes among men : thence arises violation of duties ; and thence is the root of felicity quite destroyed.

351. A man before noted for such an offence, who converses in secret with the wife of another, shall pay the first of the three usual amercements ;

352. But a man, not before noted, who thus converses with her for some reasonable cause, shall pay no fine ; since in him there is no transgression.

353. He, who talks with the wife of another man at a place of pilgrimage, in a forest or a grove, or at the confluence of rivers,

incurs the guilt of an adulterous inclination :

354. To send her flowers or perfumes, to sport and jest with her, to touch her apparel and ornaments, to sit with her on the same couch, are held adulterous acts on his part ;

355. To touch a married woman on her breasts or any other place, which ought not to be touched, or, being touched unbecomingly by her, to bear it complacently, are adulterous acts with mutual assent : wives, indeed, of all classes must ever be most especially guarded.

356. Mendicants, encomiasts, and cooks and other artisans, are not prohibited from speaking to married women.

357. Let no man converse, after he has been forbidden, with the wives of others : he, who thus converses, after a husband or father has forbidden him, shall pay a fine of one suverna.

358. These laws relate not to the wives of public dancers or singers, or of such base men, as live by intrigues of their wives ; men, who either carry women to others, or, lying concealed at home, permit them to hold a culpable intercourse :

359. Yet he, who has a private connexion with such women, or with servant-girls kept by one master, shall be compelled to pay a small fine.

360. He, who vitiates a damsel without her consent, shall suffer corporal punishment instantly ; but he, who enjoys a willing damsel, shall not be corporally punished, if his rank be the same with hers.

361. From a girl, who makes advances to a man of a high class, let not the king take the smallest fine ; but her, who first addresses a low man, let him constrain to live in her house well guarded.

362. A low man, who makes love to a damsel of high birth, ought to be punished corporally ; but he, who addresses a maid of equal rank, shall give the nuptial present and marry her, if her father please.

363. Of the man, who through insolence forcibly contaminates a damsel, let the king instantly order two fingers to be amputated, and condemn him to pay a fine of six hundred panas :

364. A man of equal rank, who defiles a consenting damsel, shall not have his fingers amputated, but shall pay a fine of two hundred panas, to restrain him from a repetition of his offence.

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365. A damsel, polluting another damsel, must be fined two hundred panas, pay the double value of her nuptial present, and receive ten lashes with a whip;

366. But a woman, polluting a damsel, shall have her head instantly shaved, and two of her fingers chopped off; and shall ride, mounted on an ass, through the public street.

367. Should a wife, proud of her family and the great qualities of her kinsmen, actually violate the duty, which she owes to her lord, let the king condemn her to be devoured by dogs in a place much frequented;

368. And let him place the adulterer on an iron bed well heated, under which the executioners shall throw logs continually, till the sinful wretch be there burned to death.

369. Of a man once convicted, and a year after guilty of the same crime, the fine must be doubled.

370. A mechanic or servile man, having an adulterous connexion with a woman of a high class, whether guarded at home or unguarded, shall thus be punished: if she was unguarded, he shall lose the part offending, and his whole substance; if guarded, and a priestess, every thing, even his life.

371. For adultery with a guarded priestess, a merchant shall forfeit all his wealth after imprisonment for a year; a soldier shall be fined a thousand panas, and be shaved with the urine of an ass.

372. But, if a merchant or soldier commit adultery with a woman of the nobler class, whom her husband guards not at home, the king shall only fine the merchant five hundred, and the soldier a thousand:

373. Both of them, however, if they commit that offence with a priestess not only guarded but eminent for good qualities, shall be punished like men of the lowest class, or be burned in a fire of dry grass or reeds.

374. A Brahmin, who carnally knows a guarded woman without her free will, must be put to death, or banished:

375. Ignominious tonsure is ordained, instead of capital punishment, for an adulterer of the priestly class, where the punishment of other classes may extend to loss of life.

376. Never shall the king slay a Brahmin, though convicted of

all possible crimes : let him banish the offender from his realm, but with all his property secure, and his body unhurt :

377. No greater crime is known on earth than slaying a Brahmin ; and the king, therefore, must not even form in his mind an idea of killing a priest.

378. If a merchant converse criminally with a guarded woman of the military, or a soldier with one of the mercantile class, they both deserve the same punishment as in the case of a priestess unguarded :

379. But a Brahmin, who shall commit adultery with a guarded woman of those two classes, must be fined a thousand panas ; and, for the like offence with a guarded woman of the servile class, the fine of a soldier or a merchant shall be also one thousand.

380. For adultery with a woman of the military class, if unguarded, the fine of a merchant is five hundred ; but a soldier, for the converse of that offence, must be shaved with urine, or pay the fine just mentioned.

381. A priest shall pay five hundred panas if he connect himself criminally with an unguarded woman of the military, commercial, or lower class.

382. That king, in whose realm lives no thief, no adulterer, no defamer, no man guilty of atrocious violence, and no committer of assaults, attains the mansion of Sacra.

383. By suppressing those five in his dominion, he gains royalty paramount over men of the same kingly rank, and spreads his fame through the world.

384. The sacrificer, who forsakes the officiating priest, and the officiating priest, who abandons the sacrificer, each being able to do his work, and guilty of no grievous offence, must each be fined a hundred panas.

385. A mother, a father, a wife, and a son shall not be forsaken : he, who forsakes either of them, unless guilty of a deadly sin, shall pay six hundred panas as a fine to the king.

386. Let not a prince, who seeks the good of his own soul, hastily and alone pronounce the law, on a dispute concerning any legal observance, among noble men in their several orders ;

387. But let him, after giving them due honour, according to

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their merit, and, at first, having soothed them by mildness, apprise them of their duty.

388. The priest, who gives an entertainment to twenty men of the three first classes, without inviting his next neighbour, and his neighbour next but one, if both be worthy of an invitation, shall be fined one másha of silver.

389. A Brahmin of deep learning in the Veda who invites not another Brahmin, both learned and virtuous, to an entertainment given on some occasion relating to his wealth, as the marriage of his child, and the like, shall be made to pay him twice the value of the repast, and be fined a másha of gold.

390. Neither a blind man, nor an idiot, nor a cripple, nor a man full seventy years old, nor one who confers great benefits on persons of eminent learning, shall be compelled by any king to pay taxes.

391. Let the king always do honour to a learned theologian, to a man either sick or grieved, to a little child, to an aged or indigent man, to a man of exalted birth, and to a man of distinguished virtue.

392. Let a washerman wash the clothes of his employers by little and little, or piece by piece, and not hastily, on a smooth board of Sálmalí-wood : let him never mix the clothes of one person with the clothes of another, nor suffer any but the owner to wear them.

393. Let a weaver, who has received ten palas of cotton-thread, give them back increased to eleven by the rice-water and the like used in weaving : he, who does otherwise, shall pay a fine of twelve panas.

394. As men versed in cases of tolls, and acquainted with all marketable commodities, shall establish the price of salable things, let the king take a twentieth part of the profit on sales at that price.

395. Of the trader, who, through avarice, exports commodities, of which the king justly claims the pre-emption, or on which he has laid an embargo, let the sovereign confiscate the whole property.

396. Any seller or buyer, who fraudulently passes by the toll-office at night or any other improper time, or who makes a false enumeration of the articles bought, shall be fined eight times as much as their value.

397. Let the king establish rules for the sale and purchase of

all marketable things, having duly considered whence they come, if imported ; and, if exported, whither they must be sent ; how long they have been kept ; what may be gained by them ; and what has been expended on them.

398. Once in five nights, or at the close of every half month, according to the nature of the commodities, let the king make a regulation for market prices in the presence of those experienced men :

399. Let all weights and measures be well ascertained by him ; and once in six months let him re-examine them.

400. The toll at a ferry is one pana for an empty cart ; half a pana, for a man with a load ; a quarter, for a beast used in agriculture, or for a woman ; and an eighth, for an unloaded man.

401. Waggons, filled with goods packed up, shall pay toll in proportion to their value ; but for empty vessels and bags, and for poor men ill-apparelled, a very small toll shall be demanded.

402. For a long passage, the freight must be proportioned to places and times ; but this must be understood of passages up and down rivers : at sea there can be no settled freight.

403. A woman, who has been two months pregnant, a religious beggar, a forester in the third order, and students in theology, shall not be obliged to pay toll for their passage.

404. Whatever shall be broken in a boat, by the fault of the boatmen, shall be made good by those men collectively, each paying his portion.

405. This rule, ordained for such as pass rivers in boats, relates to the culpable neglect of boatmen on the water : in the case of inevitable accident, there can be no damages recovered.

406. The king should order each man of the mercantile class to practise trade, or money-lending, or agriculture and attendance on cattle ; and each man of the servile class to act in the service of the twice-born.

407. Both him of the military, and him of the commercial class, if distressed for a livelihood, let some wealthy Brahmin support, obliging them without harshness to discharge their several duties.

408. A Brahmin, who, by his power and through avarice, shall cause twice-born men, girt with the sacrificial thread, to perform servile acts, such as washing his feet, without their consent, shall

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be fined by the king six hundred panas ;

409. But a man of the servile class whether bought or unbought, he may compel to perform servile duty ; because such a man was created by the Self-existent for the purpose of serving Brahmins :

410. A Súdra, though emancipated by his master, is not released from a state of servitude ; for of a state, which is natural to him, by whom can he be divested ?

411. There are servants of seven sorts ; one made captive under a standard or in battle, one maintained in consideration of service, one born of a female slave in the house, one sold, or given, or inherited from ancestors, and one enslaved by way of punishment on his inability to pay a large fine.

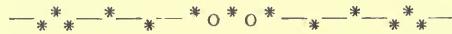
412. Three persons, a wife, a son, and a slave, are declared by law to have in general no wealth exclusively their own : the wealth, which they may earn, is regularly acquired for the man, to whom they belong.

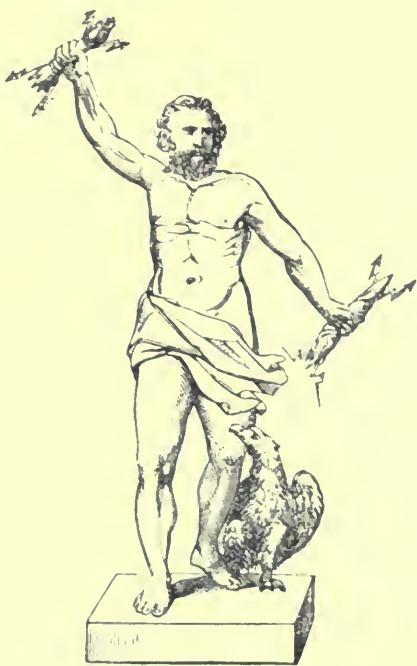
413. A Brahmin may seize without hesitation, if he be distressed for a subsistence, the goods of his Súdra-slave ; for, as that slave can have no property, his master may take his goods.

414. With vigilant care should the king exert himself in compelling merchants and mechanics to perform their respective duties ; for, when such men swerve from their duty, they throw this world into confusion.

415. Day by day must the king, though engaged in forensic business, consider the great objects of public measures, and inquire into the state of his carriages, elephants, horses, and cars, his constant revenues and necessary expenses, his mines of precious metals or gems, and his treasury :

416. Thus, bringing to a conclusion all these weighty affairs, and removing from his realm and from himself every taint of sin, a king reaches the supreme path.





CHAPTER IX.

On the same ; and on the Commercial and Servile Classes.

1. I NOW will propound the immemorial duties of man and woman, who must both remain firm in the legal path, whether united or separated.
2. Day and night must women be respected by their protectors ; but in lawful and innocent recreations, though rather addicted to them, they may be left at their own disposal.

[*The revision by the Twelfth Messenger was not carried beyond this verse.*]



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